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THE

HISTORY

OF

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ENGLAND,

FROM

The INVASION of JULIUS CÆSAR

TO

The REVOLUTION in 1688.

IN SIX VOLUMES.

By DAVID HUME, Esq.

VOL. V.

A NEW EDITION, Corrected.

LONDON:

Printed for A. MILLAR, in the Strand.

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THE

HISTORY

OF

GREAT BRITAIN.

JAMES I.

CHAP. I.

Introduction.——James's first transactions.——State of Europe.——Rosni's negotiations.——Raleigh's conspiracy.——Hampton-court conference.——A Parliament.——Peace with Spain.

THE crown of England was never transmitted from father to son with greater tranquillity, than it passed from the family of Tudor to that of Stuart. During the whole reign of Elizabeth, the eyes of men had been employed in search of her successor; and when old age made the prospect of her death more immediate, there appeared none but the King of Scotland, who could advance any just claim or pretension to the throne. He was the great-grandson of Margaret, eldest daughter of Henry VII. and, on the failure of all the male-line, his hereditary right remained unquestionable. If the religion of Mary Queen of Scots, and the other prejudices contracted against her, had formed any considerable obstacle to her succession; these objections, being entirely personal, had no place with regard to her son. Men also considered, that, tho' the title, derived from blood, had been frequently violated since the Norman conquest, such licences had proceeded more from force or intrigue, than from any deliberate maxims of government. The lineal heir had still in the end 1603.

Chap. I. 1603.

prevailed; and both his excluſion and reſtoration had been commonly attended with ſuch convulſions, as were ſufficient to warn all prudent men not lightly to give way to ſuch irregularities. If the will of Henry VIII. authorized by act of parliament, had tacitly excluded the Scottiſh line; the tyranny and caprices of that monarch had rendered his memory ſo odious, that a ſettlement of this nature, unſupported by any juſt reaſon, had no authority with the people. Queen Elizabeth too, with her dying breath, had recognized the undoubted title of her kinſman James; and the whole nation ſeemed to diſpoſe themſelves with joy and pleaſure for his reception. Tho' born and educated amidſt a foreign and hoſtile people, men hoped, from his character of moderation and wiſdom, that he would embrace the maxims of an Engliſh monarch; and the prudent foreſaw greater advantages, reſulting from an union with Scotland, than diſadvantages from ſubmitting to a prince of that nation. The alacrity, with which the Engliſh looked towards the ſucceſſor, had appeared ſo evident to Elizabeth, that, concurring with other cauſes, it affected her with the deepeſt melancholy; and that wiſe Princeſs, whoſe penetration and experience had given her the greateſt inſight into human affairs, had not yet ſufficiently weighed the ingratitude of courtiers, and levity of the people.

First tranſactions of this reign.

As victory abroad, and tranquillity at home, had ever attended this queen, ſhe left the nation in ſuch flouriſhing circumſtances, that her ſucceſſor poſſeſſed every advantage, except that of compariſon with her illuſtrious name, when he mounted the throne of England. The King's journey from Edinburgh to London immediately afforded to the inquiſitive ſome circumſtances of compariſon, which even the natural partiality in favour of their new ſovereign, could not interpret to his advantage. As he paſſed along, all ranks of men flocked about him, from every quarter; allured by intereſt or curioſity. Great were the rejoicings, and loud and hearty the acclamations which reſounded from all ſides; and every one could remember how the affability and popularity of their queen diſplayed themſelves, amidſt ſuch concourſe and exultation of her ſubjects. But James, tho' ſociable and familiar with his friends and courtiers, hated the buſtle of a mixt multitude; and tho' far from diſliking flattery, yet was he ſtill fonder of tranquillity and eaſe. He therefore iſſued a proclamation, forbidding this great reſort of people, on pretence of the ſcarcity of proviſions, and other inconveniencies, which would neceſſarily attend it *.

He was not, however, inſenſible to the great overflow of affection, which appeared in his new ſubjects; and being himſelf of an affectionate temper, he ſeems to have been in haſte to make them ſome return of kindneſs and good offices. To this motive, probably, we are to aſcribe that profuſion of titles, which was obſerved in the beginning of his reign; when in ſix weeks time, after his entrance

* Kennet, p. 662.

into

into the kingdom, he is computed to have beſtowed knighthood on no leſs than 237 perſons. If Queen Elizabeth's frugality of honours, as well as of money, had been formerly repined at, it began now to be valued and eſteemed: And every one was ſenſible, that the King, by his laviſh and premature conferring of favours, had failed of obliging the perſons, on whom he beſtowed them. Titles of all kinds became ſo common, that they were no longer marks of diſtinction; and being diſtributed, without choice or deliberation, to perſons, unknown to the Prince, were regarded more as the proofs of facility and good-nature, than of any determined friendſhip and eſteem. Chap. I. 1603.

A paſquinade was affixed to St. Paul's, in which an art was promiſed to be taught, very neceſſary to aſſiſt frail memories, in retaining the names of the new Nobility *.

We may preſume, that the Engliſh would have thrown leſs blame on the King's facility in beſtowing favours, had theſe been confined entirely to their own nation, and had not been ſhared out, in too unequal proportions, to his old ſubjects. James, who, thro' his whole reign, was more guided by temper and inclination than by the rules of political prudence, had brought with him great numbers of his Scots courtiers; whoſe impatience and importunity were apt, in many particulars, to impoſe on the eaſy nature of their maſter, and extort favours, of which, it is natural to imagine, his Engliſh ſubjects would very loudly complain. The Duke of Lenox, the Earl of Mar, the Lord Hume, Lord Kinloſs, Sir George Hume, Secretary Elphinſtone †, were immediately added to the Engliſh privy council. Sir George Hume, whom he created Earl of Dunbar, was his declared favourite as long as that Nobleman lived; and was the wiſeſt and moſt virtuous, tho' the leaſt powerful, of all thoſe whom the King ever honoured with that diſtinction. Hay, ſome time after, was created Viſcount Doncaſter, and then Earl of Carliſle, and got an immenſe fortune from the crown; all which he ſpent in a ſplendid and courtly manner. Ramſay obtained the title of Earl of Holderneſs; and many others, being raiſed, on a ſudden, to the higheſt elevation, encreaſed, by their inſolence, that envy, which naturally attended them, as enemies and ſtrangers.

It muſt, however, be owned, in juſtice to James, that he left almoſt all the chief offices in the hands of Elizabeth's miniſters, and truſted the conduct of political concerns, both foreign and domeſtic, to his Engliſh ſubjects. Among theſe, Secretary Cecil, created ſucceſſively Lord Eſſindon, Viſcount Cranborne, and Earl of Saliſbury, was always regarded as his prime miniſter and chief counſellor. Tho' the capacity and penetration of this miniſter were ſufficiently known, his favour with the King created great ſurprize on the acceſſion of that monarch. Cecil was ſon of the famous Burleigh, whoſe merits towards his ſovereign and his

* Wilſon in Kennet, p. 665. † Wilſon in Kennet, p. 662.

Chap. I. 1603.

country were great; but whoſe name was naturally odious to James, as the declared enemy of his mother, and the chief cauſe of her tragical death, by ſome eſteemed the great ſtain in the bright annals of Elizabeth. He himſelf, as well as his father, had ſtood at the head of the court-faction, which oppoſed the greatneſs of the Earl of Eſſex, and which, aſſiſted by the imprudence or rather frenzy of that favourite, at laſt brought him to the ſcaffold. The people, by whom the Earl was infinitely beloved, reſented the conduct of his enemies; but James ſtill more, who had maintained a ſecret correſpondence with Eſſex, and regarded him as a zealous partizan for the ſucceſſion in the houſe of Stuart. Sir Walter Raleigh, Lord Grey, Lord Cobham, Cecil's aſſociates, felt immediately the effects of theſe prejudices of their maſter, and were diſmiſſed from their employments *: But Cecil, who poſſeſſed all the art and cunning of a courtier, as well as many of the talents of a great ſtateſman, had found the means of making his peace with James; and, unknown both to Elizabeth and all the other miniſters, had entered into a ſecret commerce with the ſucceſſor, during the latter years of the Queen's adminiſtration.

THE capacity of James and his miniſters in negotiation was immediately put to trial, on the appearance of ambaſſadors from almoſt all the princes and ſtates of Europe, in order to congratulate the King on his acceſſion to the throne, and to form with him new treaties and alliances. Beſide miniſters from Venice, Denmark, the Palatinate; Henry Frederic of Naſſau, aſſiſted by Barnevelt the Penſionary of Holland, repreſented the ſtates of the United Provinces. Aremberg was ſent by Archduke Albert; and Taxis was expected in a little time from Spain. But he who excited moſt the attention of the public, both on account of his own merit and that of his maſter, was the Marqueſs of Roſni, afterwards Duke of Sully, prime miniſter and favourite of Henry IV. of France.

8th of June.

State of Europe.

WHEN the dominions of the houſe of Auſtria devolved on Philip II. all Europe was ſtruck with terror; leſt the power of a family, which had been raiſed by fortune, ſhould now be carried to an immeaſurable height, by the wiſdom and conduct of this monarch. But never were apprehenſions found in the event to be more groundleſs. Slow without prudence, ambitious without enterprize, falſe without deceiving any body, and refined without any true judgment; ſuch was the character of Philip, and ſuch the character, which, during his life-time and after his death, he impreſſed on the Spaniſh councils. Revolted or depopulated provinces, diſcontented or indolent inhabitants, were the ſpectacles, which thoſe dominions, lying in every climate of the globe, preſented to Philip III. a weak prince, and to the Duke of Lerma, a miniſter, weak and odious. But tho' military diſcipline, which ſtill remained, was what alone gave ſome appearance of life and vigour to that languiſhing body; yet ſuch was the terror, produced by former

* Kennet, p. 663.

power

power and ambition, that the reduction of the houſe of Auſtria was the object of mens vows, throughout all the ſtates of chriſtendom. It was not perceived, that the French empire, now united in domeſtic peace, and governed by the moſt heroic and moſt amiable prince, that adorns modern ſtory, was become, of itſelf, a ſufficient counterpoiſe to the Spaniſh greatneſs. Perhaps, that prince himſelf did not perceive it, when he propoſed, by his miniſter, a league with James, in conjunction with Venice, the United Provinces, and the northern crowns; in order to attack the Auſtrian dominions on every ſide, and depreſs the exorbitant power of that ambitious family *. But the genius of the Engliſh Monarch was not equal to ſuch vaſt enterprizes. The love of peace was his ruling paſſion; and it was his peculiar felicity, that the conjunctures of the times rendered the ſame object, which was agreeable to him, in the higheſt degree advantageous to his people.

Chap. I. 1603.

Roſni's negotiations.

THE French ambaſſador, therefore, was obliged to depart from theſe extenſive aims, and to concert with James the means of providing for the ſafety of the United Provinces. Nor was this object altogether without its difficulties: The King, before his acceſſion to the throne of England, had entertained very ſtrong ſcruples with regard to the revolt of the Low Countries; and being always open and ſincere †, except when deliberately reſolved to diſſemble, he had, on many occaſions, gone ſo far as to give the Dutch the denomination of rebels ‡. But having converſed more fully with his Engliſh miniſters and courtiers, he found their attachment to that republic ſo ſtrong, and their opinion of common intereſt ſo eſtabliſhed, that he was obliged to ſacrifice to politics his ſenſe of juſtice; a quality, which, even when erroneous, is reſpectable as well as rare in a monarch. He therefore agreed with Roſni to ſupport ſecretly the ſtates-general, in concert with the King of France; leſt their weakneſs and deſpair ſhould oblige them to ſubmit to their old maſter. The articles of the treaty were few and ſimple. It was ſtipulated, that the two Kings ſhould allow the Dutch to levy forces both in France and Britain; and ſhould underhand remit to that republic the ſum of 1400,000 livres a year for the pay of theſe forces: That the whole ſum ſhould be advanced by the King of France; but that the third of it ſhould be deducted from a debt due by him to Queen Elizabeth. And if the Spaniard attacked either of the Princes, they agreed to aſſiſt each other; Henry with a force of ten thouſand, James with that of ſix thouſand men. This treaty, one of the wiſeſt and moſt equitable concluded by James, during the whole courſe of his reign, was more the work of the Prince himſelf, than any of his miniſters ‖.

* Sully's Memoirs.

† Monſieur de la Boderie, the French leaguer, ambaſſador at that time in England, aſcribes the virtue of openneſs and ſincerity to the King. *Le naturel du Roi eſt aſſez ouvert.* Vol. i. p. 120.

‡ Winwood, vol. ii. p. 55. ‖ Sully's Memoirs.

AMIDST

Chap. I. 1603. Raleigh's conſpiracy.

AMIDST the great tranquillity, both foreign and domeſtic, with which the nation was bleſt, nothing could be more ſurpriſing than the diſcovery of a conſpiracy to ſubvert the government, and to fix on the throne of England Arabella Stuart, a near relation of the King, and deſcended equally from Henry VII. Every thing remains ſtill myſterious in this conſpiracy; and hiſtory can give us no clue to unravel it. Watſon and Clarke, two catholic prieſts, were accuſed of the plot: Lord Grey, a puritan: Lord Cobham, a thoughtleſs man, of no fixt principle: And Sir Walter Raleigh, ſuſpected to be of that philoſophical ſect, who were then extremely rare in England, and who have ſince received the appellation of *free-thinkers*. Together with theſe, Mr. Broke, brother to Lord Cobham, Sir Griffin Markham, Mr. Coplay, Sir Edward Parham. What cement could unite men of ſuch diſcordant principles in ſo dangerous a combination; what end they propoſed, or what means proportioned to an undertaking of this nature, has never yet been explained, and cannot eaſily be imagined. As Raleigh, Grey, and Cobham were commonly believed, after the Queen's death, to have oppoſed proclaiming the King, till conditions ſhould be made with him; they were, upon that, as well as other accounts, extremely obnoxious to the court and miniſtry; and people were apt, at firſt, to ſuſpect, that the plot was merely a contrivance of Secretary Cecil, to get rid of his old confederates, now become his moſt inveterate enemies. But the confeſſion, as well as trial of the criminals, put the matter beyond all doubt *. And tho' no one could find any marks of a concerted enterprize, it appeared, that men of furious and ambitious ſpirits, meeting frequently together, and believing all the world diſcontented like themſelves, had entertained very criminal projects, and had even entered, ſome of them at leaſt, into a correſpondence with Aremberg, the Flemiſh ambaſſador, in order to give diſturbance to the new ſettlement.

THE two prieſts † and Broke ‡ were executed: Cobham, Grey, and Markham were pardoned §, after they had laid their heads upon the block ‖. Raleigh too was reprieved, not pardoned; and he remained in confinement many years afterwards.

IT appears from Sully's Memoirs, that Raleigh ſecretly offered his ſervices to the French ambaſſador; and we may thence preſume, that, meeting with a repulſe from that quarter, he had recourſe, for the ſame unwarrantable purpoſes, to the Flemiſh miniſter. Such a conjecture we are now enabled to form; but it muſt be confeſſed, that, on his trial, there appeared no proof of this tranſaction, nor indeed any circumſtance which could juſtify his condemnation. He was accuſed by Cobham alone, in a ſudden fit of paſſion, upon hearing, that Raleigh, when examined, had pointed out ſome circumſtances, by which Cobham's guilt might be known and aſcertained. This accuſation Cobham afterwards retracted;

* State Trials, p. 180. Winwood, vol. ii. p. 8, 11. Second Edition. † November 29.
‡ December 5. § December 9. ‖ Winwood, vol. ii. p. 11.

and ſoon after, retracted his retractation. Yet, upon the written evidence of this ſingle witneſs, a man of no honour nor underſtanding, and ſo contradictory in his teſtimony; not confronted with Raleigh; not ſupported by any concurring circumſtance; was that great man, contrary to all law and equity, found guilty by the jury. His name was at that time extremely odious in England; and every man was pleaſed to give ſentence againſt the capital enemy of Eſſex, the favourite of the people. Chap. I. 1603.

Sir Edward Coke, the famous lawyer, then attorney-general, managed the cauſe for the crown, and threw out on Raleigh ſuch groſs abuſe, as may be deemed a great reflection not only on his own memory, but even, in ſome degree, on the manners of that age. Traitor, monſter, viper, and ſpider of hell, are the terms, which he employs againſt one of the moſt illuſtrious men of the kingdom, who was under trial for life and fortune, and who defended himſelf with ſurprizing temper, eloquence, and courage *.

The next occupation of the King was entirely according to his heart's content. He was now employed in dictating magiſterially to an aſſembly of divines concerning points of faith and diſcipline, and in receiving the applauſes of theſe holy men for his ſuperior zeal and learning. The religious diſputes between the church and the puritans had induced him to call a conference at Hampton-court, on pretence of finding expedients, which might reconcile both parties. 1604.

Tho' the ſeverities of Elizabeth towards the catholics had much weakened that party, whoſe genius was averſe to the prevailing ſpirit of the nation; like ſeverities had had ſo little influence on the puritans, who were encouraged by that ſpirit, that no leſs than ſeven hundred and fifty clergymen of that party ſigned a petition to the King on his acceſſion; and many more ſeemed willing to adhere to it †. They all hoped, that James, having received his education in Scotland, and having ever profeſſed an attachment to the church eſtabliſhed there, would at leaſt abate the rigour of the laws enacted againſt puritans; if he did not ſhow them more particular grace and encouragement. But the King's diſpoſition had taken ſtrongly a contrary byaſs. The more he knew the puritanical clergy, the leſs favour he bore them. He had remarked in their Scots brethren a violent turn towards republicaniſm, and a zealous attachment to civil liberty; principles nearly allied to that religious enthuſiaſm, with which they were actuated. He had found, that being moſtly perſons of low birth and mean education, the ſame lofty pretenſions, which attended them in their familiar addreſſes to their Maker, of whom they believed themſelves the peculiar favourites, induced them to uſe the utmoſt freedoms with their earthly ſovereign. In both capacities, of monarch and of theologian, he had experienced the little complaiſance, which they were

* State Trials, firſt edit. p. 176, 177, 182. † Fuller, book x. Collier, vol. ii. p 672.

diſpoſed

Chap. I. 1604.

diſpoſed to ſhow him; whilſt they controuled his commands, diſputed his tenets, and to his face, before the whole people, cenſured his conduct and behaviour. If he had ſubmitted to the indignity of courting their favour, he treaſured up the ſtronger reſentment againſt them, and was determined to make them feel, in their turn, the weight of his authority. Tho' he had often met with reſiſtance and faction and obſtinacy in the Scots nobility, he retained no ill-will to that order; or rather ſhowed them favour and kindneſs in England, beyond what reaſon and ſound policy could well juſtify: But the aſcendant, which the preſbyterian clergy had aſſumed over him, was what his monarchical pride could never thoroughly digeſt *.

He dreaded likewiſe the popularity, which attended this order of men in both kingdoms. As uſeleſs auſterities and ſelf-denial are imagined, in many religions, to render us acceptable to a benevolent Being, who created us ſolely for happineſs, James remarked, that the ruſtic ſeverity of theſe clergymen and of their whole ſect had given them, in the eyes of the multitude, the appearance of ſanctity and virtue. Strongly inclined himſelf to mirth and wine and ſports of all kinds, he apprehended their cenſure for his manner of life, free and diſengaged. And, being thus averſe, from temper as well as policy, to the ſect of puritans, he was reſolved, if poſſible, to prevent its further growth in England.

But it was the character of James's councils, throughout his whole reign, that they were more wiſe and equitable, in their end, than prudent and political, in the means. Tho' juſtly ſenſible, that no part of civil adminiſtration required greater care or a nicer judgment than the conduct of religious parties, whoſe various geniuſes, affections and antipathies, have ſo mighty in influence on public affairs; he had not perceived, that in the ſame proportion as this practical knowlege of theology is requiſite, the ſpeculative refinements in it are mean, and even dangerous in a monarch. By entering zealouſly into frivolous diſputes, James gave them an air of importance and dignity, which they could not otherwiſe have acquired; and being himſelf inliſted in the quarrel, he could no longer have recourſe to contempt and ridicule, the only proper method of appeaſing it. The church of England had not yet abandoned the rigid doctrines of grace and predeſtination: The puritans had not yet totally ſeparated themſelves from the church, nor openly renounced epiſcopacy. Tho' the ſpirit of the parties was conſiderably different, the only apparent ſubjects of diſpute were concerning the croſs in baptiſm, the ring in marriage, the uſe of the ſurplice, the bowing at the name of Je-

* James ventured to ſay in his Baſilicon Doron, publiſhed while he was in Scotland: "I proteſt "before the great God, and ſince I am here as upon my Teſtament, it is no place for me to lie in, "that ye ſhall never find with any Highland or Borderer thieves, greater ingratitude and more lies "and vile perjuries, than with theſe fanatic ſpirits: And ſuffer not the principal of them to brook "your land." *King James's Works*, p. 161.

ſus.

sus. These were the mighty questions, which were solemnly agitated in the conference at Hampton-court between some bishops and dignified clergymen on the one hand, and some leaders of the puritan party on the other; the King and his ministers being present *. Chap. I. 1604. Conference at Hampton-court.

The puritans were here so unreasonable as to complain of a partial and unfair management of the dispute; as if the search after truth were in any degree the object of such conferences, and a candid indifference, so rare even among private inquirers, in *philosophical* questions, could ever be expected among princes and prelates, in a *theological* controversy. The King, it must be confessed, from the beginning of the Conference, showed the strongest propensity to the established church, and frequently inculcated a maxim, which, tho' it has some foundation, is to be received with great limitations, No Bishop, No King. The Bishops, in their turn, were very liberal of their praises towards the royal disputant; and the archbishop of Canterbury said, that *undoubtedly his Majesty spoke by the special assistance of God's spirit* †. A few alterations in the liturgy were agreed to, and both parties separated with mutual dissatisfaction. 4th of January.

It had frequently been the practice of puritanical clergymen to form together certain assemblies, which they called *prophesyings*; where alternately, as moved by the spirit, they displayed their pious zeal in prayers and exhortations, and raised their own enthusiasm, as well as that of their audience, to the highest pitch, from that social contagion, which has so mighty an influence on holy fervours, and from the mutual emulation, which arose in those trials of religious eloquence. Such dangerous societies had been suppressed by Elizabeth; and the ministers in this conference moved the King for their revival. But James sharply replied, *If you aim at a* Scottish *presbytery, it agrees as well with monarchy as God and the devil. There* Jack *and* Tom *and* Will *and* Dick *shall meet and censure me and my council. Therefore I reiterate my former speech.* Le Roi s'avisera. *Stay, I pray, for one seven years before you demand; and then, if you find me grow pursie and fat, I may perchance hearken unto you. For that government will keep me in breath, and give me work enough* ‡. Such were the political considerations, which determined the King in his choice among religious parties.

The next assembly, in which James displayed his learning and eloquence, was one, that showed some more spirit of liberty than appeared among his bishops and theologians. The parliament was now ready to assemble; being so long delayed on account of the plague, which had broke out in London, and raged to such a degree, that 30,000 persons are computed to have died of it in a year; tho' the City contained at that time only about 150,000 inhabitants. A parliament. March 19.

The speech, which the King made on opening the parliament, displays fully his character, and proves him to have possessed more knowlege and greater parts

* Fuller's Eccleasiast. History. † Kennet, p. 665. ‡ Fuller's Eccleasiast. History.

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than prudence or any juſt ſenſe of decorum and propriety *. Tho' few productions of the age ſurpaſs this ſpeech either in ſtyle or matter; it wants that majeſtic brevity and reſerve, which becomes a king in his addreſſes to the great council of the nation. It contains, however, a very remarkable ſtroke of candor, where he confeſſes his too great facility in yielding to the ſolicitations of ſuitors †: A fault, which he promiſes to correct, but which adhered to him, and diſtreſſed him, during the whole courſe of his reign.

The firſt buſineſs, in which the commons were engaged, was of the utmoſt importance to the preſervation of their privileges; and neither temper nor reſolution were wanting in their conduct of it.

In former periods of the Engliſh government, the houſe of commons were of ſo ſmall weight in the balance of the conſtitution, that little attention had been given, either by the crown, the people, or the houſe itſelf, to the choice and continuance of the members. It had been uſual, after parliaments were prolonged beyond one ſeſſion, for the chancellor to exert a diſcretionary authority, of iſſuings new writs to ſupply the place of any members, whom he judged incapable of attending, either on account of their employment, their ſickneſs, or other impediment. This practice gave that miniſter, and conſequently the prince, an unlimited power of garbling at pleaſure the repreſentatives of the nation; yet ſo little jealouſy had it created, that the commons, of themſelves, without any court-influence or intrigue, and contrary to ſome former votes of their own, confirmed it in the twenty-third of Elizabeth ‡. At that time, tho' ſome members, whoſe place had been ſupplied on account of ſickneſs, having now recovered their health, appeared in the houſe, and claimed their ſeat; ſuch was the authority of the chancellor, that merely out of reſpect to him, his ſentence was adhered to, and the new members were continued in their places. Here a moſt dangerous prerogative was conferred on the crown: But to ſhow the genius of that age, or rather the channels in which power then ran, the crown put very little value on this authority; inſomuch, that two days afterwards, the chancellor, of himſelf, reſigned it back to the commons, and gave them power to judge of a particular vacancy in their houſe. And when the queſtion, concerning the chancellor's new writs, was again brought on the carpet towards the end of the ſeſſion, the commons were ſo little terrified at the precedent, that, tho' they re-admitted ſome old members, whoſe ſeats had been vacated, on account of ſlight indiſpoſitions, yet they confirmed the chancellor's ſentence, in inſtances where the diſtemper appeared dangerous and incurable ‖. Nor did they proceed any farther, in vindication of their privileges, than to vote, *that*

* K. James's Works, p. 484, 485, &c. Journ. 22d March, 1603. Kennet, p. 668.
† K. James's Works, p. 495, 496. ‡ Journ. 19th January, 1580.
‖ Journ. March 18, 1580. See farther, D'Ewes, p. 430.

during

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during the ſitting of parliament, there do not, at any time, any writ go out for the chooſing or returning any member, without the warrant of the houſe. In Elizabeth's reign, we may remark, and the reigns preceding, ſeſſions of parliament uſually continued not above the twelfth part ſo long as the vacations: and during the latter, the chancellor's power, if he pleaſed to exert it, was ſtill left, by this vote, as unlimited and unreſtrained as ever.

In a ſubſequent parliament, the abſolute authority of the Queen was exerted in a manner ſtill more open; and began for the firſt time to give alarm to the commons. New writs having been iſſued by the chancellor, when there was no vacancy, and a controverſy ariſing upon that incident; the Queen ſent a meſſage to the houſe, informing them, that it was impertinent for them to deal in ſuch matters. Theſe queſtions, ſhe ſaid, belonged only to the chancellor; and ſhe had appointed him to confer with the judges, in order to ſettle all diſputes with regard to elections. The commons had the courage, a few days after, to vote, "That it was a moſt perilous precedent, where two knights of a county "were duly elected, if any new writ ſhould iſſue out for a ſecond election, with- "out order of the houſe itſelf; that the diſcuſſing and adjudging of this and "ſuch like differences belonged only to the houſe; and that there ſhould be no "meſſage ſent to the lord chancellor, not ſo much as to enquire what he had "done in the matter, becauſe it was conceived to be a matter derogatory to the "power and privilege of the houſe *." This is the moſt conſiderable, and almoſt only inſtance of parliamentary liberty, which occurs, during the reign of that Princeſs.

Outlaws, whether on account of debts or crimes, had been declared by the judges †, incapable of a ſeat in the houſe, where they muſt themſelves be lawgivers: But this opinion of the judges had been frequently over-ruled. I find, however, in the caſe of Vaughan ‡, who was queſtioned for an outlawry, that, having proved all his debts to have been contracted for ſuretiſhip, and to have been, moſt of them, honeſtly compounded, he was allowed, on account of theſe favourable circumſtances, ſtill to keep his ſeat: Which plainly ſuppoſes, that, otherwiſe, it would have been vacated, on account of the outlawry ||.

* D'Ewes, p. 397. † 39 H. VI. ‡ Journ. Feb. 8, 1580.

|| In a ſubſequent parliament, that of the 35th of the Queen, the Commons, after great debate, expreſly voted, that a perſon out-lawed might be elected. D'Ewes, p. 518. But as the matter had been much conteſted, the King might think the vote of the Houſe no law, and might eſteem his own deciſion of more weight than theirs. We may alſo ſuppoſe, that he was not acquainted with this vote. Queen Elizabeth in her ſpeech to her laſt Parliament complained of their admitting outlaws, and repreſents that conduct of the Houſe as a great abuſe.

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WHEN James ſummoned this parliament, he iſſued a proclamation *; in which among many general advices, which, like a kind tutor, he beſtowed on his people, he ſtrictly charges them not to chuſe any outlaw for their repreſentative. And he adds; *If any perſon take upon him the place of knight, citizen, or burgeſs, not being duly elected, according to the laws and ſtatutes in that behalf provided, and according to the purport, effect, and true meaning of this our proclamation, then every perſon ſo offending, to be fined or impriſoned for the ſame.* A proclamation here was plainly put on the ſame footing with a law, and that in ſo delicate a point as the right of elections: Moſt alarming circumſtances, had there not been reaſon to believe, that this meaſure, being entered into ſo early in the King's reign, proceeded more from precipitation and miſtake, than from any ſerious deſign of invading the privileges of his parliament †.

SIR Francis Goodwin was choſen member for the county of Bucks; and his return, as uſual, was made into chancery. The chancellor, pronouncing him an outlaw, vacated his ſeat, and iſſued writs for a new election ‡. Sir John Forteſcue was choſen in his place by the county: But the firſt act of the houſe was to reverſe the chancellor's ſentence, and reſtore Sir Francis to his ſeat. At the King's inſtigation, the lords deſired a conference on this ſubject; but were abſolutely refuſed by the commons, as the queſtion regarded entirely their own privileges ‖. They agreed, however, to make a remonſtrance to the King by the mouth of their ſpeaker; where they mainained, that, tho' the returns were by form made into chancery, yet the ſole right of judging with regard to elections belonged to the houſe itſelf, not to the chancellor §. James was not ſatisfied, and ordered a conference between the houſe and the judges, whoſe opinion in this caſe was oppoſite to that of the commons. This conference, he ſaid, he commanded as an *abſolute* king ¶; an epithet, we are apt to imagine, not very grateful to Engliſh ears,

* Jan. 11, 1604. Rymer, tom. xvi. p. 561.

† The duke of Sully tells us, that it was a maxim of James, that no Prince in the firſt year of his reign ſhould begin any conſiderable undertaking. A maxim very reaſonable in itſelf, and very ſuitable to his cautious, if not timid character. The facility, with which he departed from this pretenſion is another proof, that his meaning was innocent. But had the privileges of Parliament been at that time exactly aſcertained, or royal power fully limited, could ſuch an imagination ever have been entertained by him, as to think, that his proclamations could regulate parliamentary elections.

‡ Winwood, vol. ii. p. 18, 19. ‖ Journ. 26th March, 1604. § Journ. 3d April, 1604.

¶ Sir Charles Cornwallis the King's ambaſſador at Madrid, when preſſed by the Duke of Lerma to enter into a league with Spain, ſaid to that miniſter, *Tho' his Majeſty was an* abſolute *King, and therefore not bound to give an account to any, of his actions; yet that ſo gracious and regardful a prince he was of the love and contentment of his own ſubjects, as I aſſured myſelf he would not think it fit to do any thing of ſo great conſequence without acquainting them with his intentions.* Winwood, vol. ii. p. 222. Sir Walter Raleigh has this paſſage in the preface to his Hiſtory of the World. *Philip* II. *by ſtrong hand and main force, attempted to make himſelf, not only an* abſolute monarch *over the Netherlands, like unto the kings*

ears, but one to which they had already been ſomewhat accuſtomed from the mouth of Elizabeth *. He added, *That all their privileges were derived from his grant, and hoped they would not turn them againſt him* †; a ſentiment, which, from her conduct, it is certain, that Princeſs had alſo entertained, and which was the reigning principle of her courtiers and miniſters, and the ſpring of all her adminiſtration. Chap. I. 1604.

THE commons were in ſome perplexity. Their eyes were now opened, and they ſaw the conſequences of that power, which had been aſſumed by the chancellor, and to which their predeceſſors had, in ſome inſtances, blindly ſubmitted. *By this courſe*, ſaid a member, *the free election of the counties is taken away, and none ſhall be choſen but ſuch as ſhall pleaſe the King and council. Let us, therefore, with fortitude, underſtanding, and ſincerity, ſeek to maintain our privilege. This cannot be conſtrued any contempt in us, but merely a maintenance of our common rights, which our anceſtors have left us, and which it is juſt and fit for us to tranſmit to our poſterity* ‡. Another ſaid §, *This may be called a* quo warranto *to ſeize all our liberties. A chancellor*, added a third ‖, *by this courſe may call a parliament, conſiſting of what perſons he pleaſes. Any ſuggeſtion, by any perſon, may be the cauſe of ſending a new writ. It is come to this plain queſtion, whether the chancery or parliament ought to have authority.*

NOTWITHSTANDING this watchful ſpirit of liberty, which now appeared in the commons, their deference for majeſty was ſo great, that they appointed a committee to confer with the judges before the King and council. There the queſtion of law began to appear, in James's eyes, a little more doubtful than he had hitherto imagined it; and in order to bring himſelf off with ſome honour, he propoſed, that both Goodwin and Forteſcue ſhould be ſet aſide, and a writ be iſſued, by warrant of the houſe, for a new election. Goodwin gave his conſent, and the commons embraced this expedient; but in ſuch a manner, that, while they ſhowed their regard

kings and monarchs of England and France, but Turk-like to tread under his feet all their natural and fundamental laws, privileges and antient rights. We may infer from theſe paſſages, either that the word *abſolute* bore a different ſenſe from what it does at preſent, or that mens ideas of the Engliſh government were then different. This latter inference ſeems juſter. The word being derived from the French, bore always the ſame ſenſe as in that language. An abſolute monarchy in Charles I's anſwer to the nineteen propoſitions is oppoſed to a limited: and the King of England is acknowleged not to be abſolute. So much had matters changed even before the civil war. In Sir John Forteſcue's treatiſe of abſolte and limited monarchy, a book wrote in the reign of Edward the IVth, the word *abſolute* is taken in the ſame ſenſe as at preſent; and the government of England is ſaid not to be abſolute. They were the princes of the houſe of Tudor chiefly, who introduced that adminiſtration, which had the appearance of abſolute government. The princes before them were reſtrained by the barons; as thoſe after them by the Houſe of Commons. The people had, properly ſpeaking, little liberty in either of theſe antient governments, but the leaſt, in the more antient.

* Camden in Kennet, p. 375. † Journ. 29th March, 5th April, 1604. ‡ Journ. 30th March, 1604. § Id. ibid. ‖ Id. ibid.

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for the King, they ſecured, for the future, the free poſſeſſion of their ſeats, and the right, which they claimed, of judging ſolely in their own elections and returns *.

A POWER like this, ſo eſſential to the exerciſe of all their other powers, themſelves ſo eſſential to public liberty, cannot fairly be deemed an encroachment in the commons; but muſt be regarded as an inherent privilege, happily reſcued from that ambiguity, which the negligence of ſome former parliaments had thrown upon it.

AT the ſame time, the commons, in the caſe of Sir Thomas Shirley, eſtabliſhed their power of puniſhing, as well the perſons at whoſe ſuit any member is arreſted, as the officers, who either arreſt or detain him. Their aſſerting of this privilege admits of the ſame reflection †.

ABOUT this period, the minds of men, throughout all Europe, but eſpecially in England, ſeem to have undergone a general, but inſenſible revolution. Tho' letters had been revived in the preceding age, they ſeem to have been chiefly cultivated by men of ſedentary profeſſions; nor had they, till now, begun to ſpread themſelves, in any degree, among men of the world. Arts, both mechanical and liberal, were every day receiving great improvements. Navigation had extended itſelf over the whole globe. Travelling was ſecure and agreeable. And the general ſyſtem of politics, in Europe, was become more enlarged and comprehenſive.

IN conſequence of this univerſal fermentation, the ideas of men enlarged themſelves on all ſides; and the ſeveral conſtituent parts of the gothic governments, which ſeem to have lain aſleep for ſo many ages, began, every where, to operate and encroach on each other. On the continent, where the neceſſity of diſcipline had begot mercenary armies, the prince commonly eſtabliſhed an unlimited authority, and overpowered, by force or intrigue, the liberties of the people. In England, the love of freedom, which, unleſs checked, flouriſhes extremely in all liberal natures, acquired new force, and was regulated by more enlarged views, ſuitable to that cultivated underſtanding, which became, every day, more common, among men of birth and education. A familiar acquaintance with the precious remains of antiquity excited in every generous breaſt a paſſion for a limited conſtitution, and begot an emulation of thoſe manly virtues, which the Greek and Roman authors, by ſuch animating examples, as well as pathetic expreſſions, recommend

* Even this Parliament, which ſhowed ſo much ſpirit and good-ſenſe in the affair of Goodwin, made a ſtrange conceſſion to the crown in their fourth ſeſſion. Toby Mathews, a member, had been baniſhed by order of council, upon direction from his Majeſty. The Parliament not only acquieſced in this arbitrary proceeding, but iſſued writs for a new election. Such novices were they, as yet, in the principles of liberty! See Journ. 14 February, 1609. Mathews was baniſhed by the King, on account of his change of religion to Popery. The King had an indulgence to thoſe who had been educated Catholics; but could not bear the new converts. It was, probably, the animoſity of the Commons againſt the Papiſts, which made them acquieſce in this precedent, without reflecting on the conſequences. The jealouſy of liberty, tho' rouſed, was not yet thoroughly enlightened.

† Journ. 6th and 7th May, 1604.

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to us. The ſevere tho' popular government of Elizabeth had confined this riſing ſpirit within very narrow bounds: But when a new and a foreign family ſucceeded to the throne, and a prince leſs dreaded and leſs beloved, ſymptoms immediately appeared of a more free and independent genius in the nation.

HAPPILY this Prince poſſeſſed neither ſufficient capacity to perceive the alteration, nor ſufficient art and vigour to check it in its early advances. Jealous of regal, becauſe conſcious of little perſonal authority, he had eſtabliſhed within his own mind a ſpeculative ſyſtem of abſolute government, which few of his ſubjects, he believed, and none but traitors and rebels, would make any ſcruple to admit. On which-ever ſide he caſt his eyes, every thing concurred to encourage his prejudices. When he compared himſelf with the other hereditary ſovereigns of Europe, he imagined, that, as he bore the ſame rank, he was intitled to equal prerogatives; not conſidering the innovations lately introduced by them, and the military force, by which their authority was ſupported. In England, that power, almoſt unlimited, which had been exerciſed for above a century, eſpecially during the late reign, he aſcribed ſolely to royal birth and title; not to the prudence and ſpirit of the monarchs, nor to the conjunctures of the times. Even the oppoſition, which he had ſtruggled with in Scotland, encouraged him ſtill farther in his favourite notions; while he there ſaw, that the ſame reſiſtance, which oppoſed regal authority, violated all law and order, and made way, either for the ravages of a barbarous nobility, or for the more intolerable inſolence of ſeditious preachers. In his own perſon, therefore, he thought all legal power to be centered, by an hereditary and a divine right: And this opinion might have proved dangerous, if not fatal, to liberty; had not the firmneſs of the perſuaſion, and its ſeeming evidence, induced him to truſt ſolely to his right, without making the ſmalleſt proviſion either of force or politics, in order to ſupport it.

SUCH were the oppoſite diſpoſitions of parliament and prince, at the commencement of the Scottiſh line; diſpoſitions juſt beginning to exiſt and to appear in the parliament *, but thoroughly eſtabliſhed and openly avowed on the part of the prince.

THE

* At that time, men of genius and of enlarged minds had adopted the principles of liberty, which were, as yet, pretty much unknown to the generality of the people. Sir Matthew Hales has publiſhed a remonſtrance againſt the King's conduct towards the Parliament during this ſeſſion. The remonſtrance is drawn with great force of reaſoning, and ſpirit of liberty; and was the production of Sir Francis Bacon and Sir Edwin Sandys, two men of the greateſt parts and knowlege in England. It is drawn in the name of the Parliament; but as there is no hint of it in the journals, we muſt conclude, either that the authors, ſenſible that the ſtrain of the piece was much beyond the principles of the age, had not ventured to preſent it to the Houſe, or that it had been, for that reaſon, rejected by them. The dignity and authority of the Commons are ſtrongly inſiſted upon in this remonſtrance; and it is there ſaid, that their ſubmiſſion to the ill treatment, which they received during the latter part of Elizabeth's reign, had proceeded from their tenderneſs towards her age and her ſex. But the authors

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THE ſpirit and judgment of the houſe of commons appeared, not only in defence of their own privileges, but alſo in their endeavour, tho', at this time, in vain, to free trade from thoſe ſhackles, which the high exerted prerogative, and even, in this reſpect, the ill-judged tyranny of Elizabeth, had impoſed upon it.

JAMES had already, of his own accord, called in and annulled all the numerous patents for monopolies, which had been granted by his predeceſſor, and which fettered extremely every ſpecies of domeſtic induſtry: But the excluſive companies ſtill remained; another ſpecies of monopoly, by which almoſt all foreign trade, except that to France, was brought into the hands of a few rapacious engroſſers, and all proſpect of future improvement in commerce was for ever ſacrificed to a little temporary advantage of the ſovereign. Theſe companies, tho' arbitrarily erected, had carried their privileges ſo far, that the whole commerce of England was centered in London; and it appears that the cuſtoms of that port amounted to 110,000 *l.* a year, while thoſe of all the kingdom beſide yielded only ſeventeen thouſand *. Nay, the whole trade of London was confined to about 200 citizens †, who were eaſily enabled, by combining among themſelves, to fix whatever price they pleaſed both to the exports and imports of the nation. The committee, appointed to examine this enormous grievance, one of the greateſt which we read of in Engliſh ſtory, inſiſt on it as a fact well known and avowed, however contrary to the preſent received opinion, that ſhipping and ſeamen had ſenſibly decayed during all the preceding reign ‡. And tho' nothing be more common, than complaints of the decay of commerce, even during the moſt flouriſhing periods; yet is this a conſequence which might naturally reſult from ſuch arbitrary eſtabliſhments, at a time when the trade of all the other nations of Europe, except that of Scotland, enjoyed full liberty and indulgence.

WHILE the commons were thus attempting to give liberty to the trading part of the nation, they alſo endeavoured to free the landed intereſt from the burthen of wardſhips ‖, and to remove thoſe remains of the feudal tenures, under which the nation ſtill laboured. A juſt regard was ſhown to the crown in the whole conduct of this affair; nor was the remedy ſought for, conſidered as a matter of

authors are miſtaken in theſe facts: For the houſe received and ſubmitted to as bad treatment in the beginning and middle of that reign: The government was equally arbitrary in Mary's reign, in Edward's, in Henry the eighth's and ſeventh's. And the farther we go back in hiſtory, tho' there might be more of a certain irregular kind of liberty among the barons, the commons were ſtill of leſs authority. King James, as they themſelves acknowledged, gave the houſe of commons more liberty of ſpeech, than had been indulged them by any of his predeceſſors.

* Journ. 21ſt May, 1604. † Id. ibid.

‡ A remonſtrance from the Trinity-houſe, in 1602, ſays, that in a little above twelve years after 1588, the ſhipping and number of ſeamen in England decayed about a third part. Angleſey's happy future ſtate of England, p. 128, from Sir Julius Cæſar's collections. See Journ. 21ſt May, 1604.

‖ Journ. 1ſt June, 1604.

right,

right, but merely of grace and favour. The profit, which the King reaped both from wards and from reſpite of homage, was eſtimated; and it was propoſed to compound for theſe prerogatives by a ſecure and independent revenue. But after ſome debates in the houſe, and ſome conferences with the lords, the affair was found to contain more difficulties than could eaſily, at that time, be ſurmounted; and it was not then brought to any concluſion. Chap. I. 1604.

THE ſame fate attended an attempt of the like nature, to free the nation from the burthen of purveyance; an old prerogative in the crown, by which the officers of the houſhold were impowered to take, without conſent of the owners, proviſions for the King's family, and carts and horſes for the removal of his baggage, upon paying a ſtated price for them. This prerogative had been much abuſed by the purveyors †; and the commons ſhewed ſome intention to offer the King fifty thouſand pounds a-year for the abolition of it.

ANOTHER affair of the utmoſt conſequence was brought before this parliament, where the commons ſhewed a greater ſpirit of independence than any true judgment of the national intereſt. The union of the two kingdoms was very zealouſly, and even impatiently urged by the King ‡. He juſtly regarded it as the peculiar felicity of his reign, that he had terminated the bloody animoſities of theſe hoſtile nations, and had reduced the whole iſland under one empire; enjoying tranquillity within itſelf, and ſecurity from all foreign invaſion. He hoped, that, while his ſubjects of both kingdoms reflected on paſt diſaſters, beſides regarding his perſon as infinitely precious, they would entertain the ſtrongeſt deſire of ſecuring themſelves againſt the return of like calamities, by a thorough union of laws, parliaments and privileges. He conſidered not, that this very reflection operated, as yet, in a contrary manner, on mens prejudices, and kept alive that mutual hatred between the nations, which had been carried to the greateſt extremity, and required time to allay it. The more urgent the King appeared in promoting ſo uſeful a meaſure, the more backward was the Engliſh parliament in concurring with him; while they aſcribed his exceſſive zeal, to that partiality, in favour of his antient ſubjects, of which, they thought, that, on other occaſions, they had reaſon to complain. Their complaiſance for the King, therefore, carried them no farther than to appoint forty-four Engliſh to meet with thirty-one Scots commiſſioners, in order to deliberate concerning the terms of an union; but without any power of making advances towards the eſtabliſhment of it ‖.

THE ſame ſpirit of independence, and perhaps not better judgment, appeared in the houſe of commons, when the queſtion of ſupply was brought before them, by ſome members, who were attached to the court. In vain was it urged, that,

† Journ. 30th April, 1604. ‡ Journ. 21ſt April, 1ſt May, 1604. Parliamentary Hiſtory, vol. v. p. 91. ‖ Journ. 7th June, 1604. Kennet, p. 673.

Chap. I. 1604.

tho' the King received a ſupply, which had been voted to Elizabeth, and which had not been collected before her death; yet he found it burthened with a debt contracted by the Queen, equal to the full amount of it: That peace was not yet thoroughly concluded with Spain, and that Ireland was ſtill expenſive to him: That on his journey from Scotland, amidſt ſuch an immenſe concourſe of people, and on that of the Queen and royal family, he had expended conſiderable ſums: And that, as the courtiers had looked for greater liberalities from the Prince on his acceſſion, and had impoſed on his generous nature; ſo the Prince, in his turn, would expect, at the beginning, ſome mark of duty and attachment from his people, and ſome conſideration of his neceſſities. No impreſſion was made on the houſe of commons by theſe topics; and the majority appeared fully determined to refuſe all ſupply. The burthen of the government, at that time, lay ſurprizingly light upon the people: And that very reaſon, which to us, at this diſtance, may ſeem a motive for generoſity, was the real cauſe why the parliament was, on all occaſions, ſo remarkably frugal and reſerved. They were not, as yet, accuſtomed to open their purſes in ſo liberal a manner as their ſucceſſors, in order to ſupply the wants of their ſovereign; and the ſmalleſt demand, however requiſite, appeared in their eyes unreaſonable and exorbitant. The commons ſeem alſo to have been deſirous of reducing the crown to ſtill farther neceſſities, by their refuſing a bill, ſent down to them by the lords, for entailing the crown lands for ever on the King's heirs and ſucceſſors *. The diſſipation, made by Elizabeth, had probably taught him the neceſſity of this law, and ſhown them the advantage of refuſing it.

In order to cover a diſappointment, which might bear a bad conſtruction both at home and abroad, James ſent a meſſage to the houſe †, where he told them, that he deſired no ſupply; and he was very forward in refuſing what was never offered him. Soon after, he prorogued the parliament, not without diſcovering, in his ſpeech, viſible marks of diſſatisfaction. Even ſo early in his reign, he ſaw reaſon to make public complaints of the reſtleſs and encroaching ſpirit of the puritanical party, and of the malevolence, with which they endeavoured to inſpire the commons. Nor were his apprehenſions without reaſon; ſince the commons, now finding themſelves free from the arbitrary government of Elizabeth, applied for a conference with the lords, and preſented a petition to the King; the purport of both which was to procure, in favour of the puritans, a relaxation of the eccleſiaſtical laws. The uſe of the ſurplice and of the croſs in baptiſm, is there chiefly complained of; but the remedy ſeems to be expected ſolely from the King's diſpenſing power ‡. The ſame papers diſcover the violent animoſity of the commons againſt the catholics; together with the intolerating ſpirit of that aſſembly.

7th of July.

* Parliamentary Hiſtory, vol. v. p. 108. † Journ. 26th June, 1604. ‡ Parliamentary Hiſtory, vol. v. p. 98, 99, 100.

THIS

Chap. I. 1604. Peace with Spain. 18th Auguſt.

THIS ſummer, the peace with Spain was finally concluded, and was ſigned by the Spaniſh miniſters at London *. In the conferences, previous to this treaty, the nations were found to have ſo few claims on each other, that, except on account of the ſupport given by England to the Low Country provinces, the war might appear to have been continued more on account of perſonal animoſity between Philip and Elizabeth, than any contrariety of political intereſts between their ſubjects. Some articles in the treaty, which ſeem prejudicial to the Dutch commonwealth, were never executed by the King; and as the Spaniards made no complaints on that head, it appeared, that, by ſecret agreement, theſe articles were underſtood in a different ſenſe from what they ſeem naturally to bear, and that the King reſerved the power of ſending aſſiſtance to the Hollanders †. The Conſtable of Caſtile came into England to ratify the peace; and on the part of England, the earl of Hartford was ſent into the Low Countries for the ſame purpoſe, and the Earl of Nottingham, Lord high admiral, into Spain. The train of the latter was numerous and ſplendid; and the Spaniards, it is ſaid, were extremely ſurpriſed, when they beheld the blooming countenances and graceful appearance of the Engliſh, whom their bigotry, inflamed by the prieſts, had repreſented as ſo many monſters and infernal demons.

THO' England, by means of her naval force, was perfectly ſecure, during the latter years of the Spaniſh war, James ſhewed an extreme impatience to put an end to hoſtilities; and ſoon after his acceſſion, before any terms of peace were concerted, or even propoſed by Spain, he recalled all the letters of marque ‡ which had been granted by Queen Elizabeth. The Archduke Albert had made ſome advances of a like nature §, which invited the King to take this friendly ſtep. But what is remarkable; in James's proclamation for that purpoſe, he plainly ſuppoſes, that, as he had himſelf, while King of Scotland, always lived in amity with Spain, peace was attached to his perſon; and that merely by his acceſſion to the crown of England, without any articles of treaty or agreement, he had ended the war between the Kingdoms ‖. This ignorance of the law of nations may appear ſurpriſing in a Prince, who was thirty-ſix years of age, and who had reigned from his infancy, did we not conſider, that a king of Scotland, who lives in cloſe friendſhip with England, has few tranſactions to manage with foreign princes, and has little opportunity of acquiring experience. Unhappily for James, his timidity, his prejudices, his indolence, his love of amuſement, particularly of hunting, to which

* Rymer, tom. xvi. p. 585, &c. † Winwood, vol. ii. p. 27, 330, *et alibi*. In this reſpect James's peace was more honourable than that which Henry the fourth himſelf made with Spain. That Prince ſtipulated not to aſſiſt the Dutch; and the ſupplies, which he ſecretly ſent them, were in direct contravention to the treaty. ‡ 23d of June, 1603. § Grotii Annal. lib. 12. ‖ See proclamations during the firſt ſeven years of King James. Winwood, vol. ii. p. 65.

Chap. I. 1604. he was extremely addicted, ever prevented him from making any progreſs in the knowledge or practice of foreign politics, and in a little time diminiſhed that regard, which all the neighbouring nations had paid to England, during the reign of his predeceſſor.

CHAP. II.

Gun-powder conſpiracy.——A parliament.——Truce between Spain and the United Provinces.——A parliament.——Death of the French King.——Arminianiſm.——State of Ireland.

Chap. II. WE come now to relate an event, one of the moſt memorable, which hiſtory has conveyed to poſterity, and containing at once a ſingular proof both of the ſtrength and weakneſs of the human mind; its wideſt departure from morals, and its moſt ſteady attachment to religious prejudices. 'Tis the *Gun-powder Treaſon* of which I ſpeak; a fact as certain as it appears incredible.

Gun-powder conſpiracy. THE Roman catholics had expected great favour and indulgence on the acceſſion of James, both as he was deſcended from Mary, who had ſacrificed her life to their cauſe, and as he himſelf, in his early youth, was believed to have ſhown ſome partiality towards them; which nothing, they thought, but intereſt and neceſſity had ſince reſtrained. 'Tis pretended, that he had even entered into poſitive engagements to tolerate their religion, ſo ſoon as he ſhould mount the throne of England; whether their credulity had interpreted in this ſenſe ſome obliging expreſſions of the King, or that he had employed ſuch an artifice, in order to render them favourable to his title †. Very ſoon they diſcovered their miſtake; and were at once ſurpriſed and enraged to find James, on all occaſions, expreſs his intention of executing ſtrictly the laws enacted againſt them, and of perſevering in all the rigorous meaſures of Elizabeth. Cateſby, a gentleman of good parts and of an antient family, firſt thought of a moſt extraordinary method of revenge; and he opened his intention to Piercy, a deſcendant of the illuſtrious houſe of Northumberland. In one of their converſations with regard to the diſtreſſed condition of the catholics, Piercy having broke into a ſally of paſſion, and mentioned the aſſaſſinating the King; Cateſby took the opportunity of revealing to him a nobler and more extenſive plan of treaſon, which not only included a ſure execution of vengeance, but afforded ſome hopes of reſtoring the catholic religion in England. In vain, ſaid he, would you put an end to the King's life: He has children who would ſucceed, both to his crown and to his maxims of govern-

† State Trials, vol. i. p. 201, 202, 203. Winwood, vol. ii. p. 49.

ment. In vain would you extinguiſh the whole royal family: The nobility, the gentry, the parliament are all infected with the ſame hereſy, and could raiſe to the throne another prince and another family, who, beſides their hatred to our religion, would be animated with revenge for the tragical death of their predeceſſors. To ſerve any good purpoſe, we muſt deſtroy, at one blow, the King, the royal family, the lords, the commons; and bury all our enemies in one common ruin. Happily, they are all aſſembled on the firſt meeting of the Parliament; and afford us the opportunity of glorious and uſeful vengeance. Great preparations will not be requiſite. A few of us, combining, may run a mine below the hall, in which they meet, and chooſing the very moment when the King harangues both houſes, conſign over to deſtruction theſe determined foes to all piety and religion. Meanwhile, we ourſelves ſtanding aloof, ſafe and unſuſpected, ſhall triumph in being the inſtruments of divine wrath; and ſhall behold with pleaſure thoſe ſacrilegious walls, in which were paſt the edicts for proſcribing our church and butchering her children, toſt into a thouſand fragments; while their impious inhabitants, meditating perhaps ſtill new proſecutions againſt us, paſs from flames above to flames below, there for ever to endure the torments due to their offences †. Chap. II. 1605.

Piercy was charmed with this project of Cateſby; and they agreed to communicate the matter to a few more, and among the reſt to Thomas Winter, whom they ſent over to Flanders, in queſt of Fawkes, an officer in the Spaniſh ſervice, with whoſe zeal and courage they were all thoroughly acquainted. When they inliſted any new conſpirator, in order to bind him to ſecrecy, they always, together with an oath, employed the ſacrament, the moſt ſacred rite of their religion ‡: And 'tis remarkable, that no one of theſe pious devotees ever entertained the leaſt compunction with regard to the cruel maſſacre, which they projected, of whatever was great and eminent in the nation. Some of them only were ſtartled by the reflection, that of neceſſity many catholics muſt be preſent; as ſpectators or attendants on the King, or as having ſeats in the houſe of peers: But Teſmond, a jeſuit, and Garnet, ſuperior of that order in England, removed theſe ſcruples, and ſhewed them how the intereſts of religion required, that the innocent ſhould here be ſacrificed with the guilty.

All this paſſed in the ſpring and ſummer of the year 1604; when the conſpirators alſo hired a houſe, in Piercy's name, adjoining to that in which the parliament was to aſſemble. Towards the end of that year they began their operations. That they might be leſs interrupted, and give leſs ſuſpicion to the neighbourhood, they carried in ſtore of proviſions with them, and never deſiſted from their labour. Obſtinate to their purpoſe, and confirmed by paſſion, by princi-

† Hiſtory of the Gun-powder Treaſon. ‡ State Trials, vol. i. p. 190, 198, 210.

ple,

Chap. II. 1605. ple, and by mutual exhortation, they little feared death in compariſon of a diſappointment; and having provided arms, together with the inſtruments of their labour, they reſolved there to periſh in caſe of a diſcovery. Their perſeverance advanced the work; and they ſoon pierced the wall, tho' three yards in thickneſs; but on approaching the other ſide, they were ſomewhat ſtartled with hearing a noiſe, which they knew not how to account for. Upon inquiry, they found, that it came from the vault below the houſe of lords; that a magazine of coals had been kept there; and that, as the coals were ſelling off, the vault would be let to the higheſt bidder. The opportunity was immediately ſeized; the place hired by Piercy; thirty-ſix barrels of powder lodged in it; the whole covered up with faggots and billets; the doors of the cellar boldly flung open; and every body admitted, as if it contained nothing dangerous.

CONFIDENT of ſucceſs, they now began to look forward, and to plan the remaining part of their project. The King, the Queen, Prince Henry, were all expected to be preſent at the opening of the parliament. The Duke, by reaſon of his tender age, would be abſent; and it was reſolved, that Piercy ſhould ſeize him or aſſaſſinate him. The Princeſs Elizabeth, a child likewiſe, was kept at Lord Harrington's houſe in Warwickſhire; and Sir Everard Digby, Rookwood, Grant, being let into the conſpiracy, engaged to aſſemble their friends, on pretence of a hunting-match, and ſeizing that Princeſs, immediately to proclaim her Queen. So tranſported were they with rage againſt their adverſaries, and ſo charmed with the proſpect of revenge, that they forgot all care of their own ſafety; and truſting to the general confuſion, which muſt reſult from ſo unexpected a blow, they foreſaw not, that the fury of the people, now unreſtrained by any authority, muſt have turned againſt them, and would probably have ſatiated itſelf, by an univerſal maſſacre of the catholics.

THE day, ſo long wiſhed for, now approached, on which the parliament was appointed to aſſemble. The dreadful ſecret, tho' communicated to above twenty perſons, had been religiouſly kept, during the ſpace of near a year and a half. No remorſe, no pity, no fear of puniſhment, no hope of reward, had, as yet, induced any one conſpirator, either to abandon the enterprize, or make a diſcovery of it. The holy fury had extinguiſhed in their breaſt every other motive; and it was an indiſcretion at laſt, proceeding chiefly from theſe very bigotted prejudices and partialities, which ſaved the nation.

TEN days before the meeting of the parliament, Lord Monteagle, a catholic, ſon to Lord Morley, received the following letter, which had been delivered to his ſervant by an unknown hand. *My Lord, Out of the love I bear to ſome of your friends, I have a care of your preſervation. Therefore I would adviſe you, as you tender your life, to deviſe ſome excuſe to ſhift off your attendance at this parliament. For*

God and man have concurred to puniſh the wickedneſs of this time. And think not ſlightly of this advertiſement; but retire yourſelf into your country, where you may expect the event in ſafety. For tho' there be no appearance of any ſtir, yet I ſay, they will receive a terrible blow, this parliament, and yet they ſhall not ſee who hurts them. This council is not to be contemned, becauſe it may do you good, and can do you no harm: For the danger is paſt, as ſoon as you have burned the letter. And I hope God will give you the grace to make good uſe of it, to whoſe holy protection I commend you *.

MONTEAGLE knew not what to make of this letter; and tho' inclined to think it a fooliſh attempt to frighten and ridicule him, he judged it ſafeſt to carry it to Lord Saliſbury, ſecretary of ſtate. Tho' Saliſbury too was inclined to give little attention to it, he thought proper to lay it before the King, who came to town a few days after. To the King, it appeared not ſo light a matter; and from the ſerious earneſt ſtyle of the letter, he conjectured, that it implied ſomething very dangerous and important. A *terrible blow* and yet *the authors concealed*, a danger ſo *ſudden* and yet ſo *great*, theſe circumſtances ſeemed all to denote ſome contrivance by gun-powder; and it was thought adviſable to inſpect all the vaults below the houſes of parliament. This care belonged to the earl of Suffolk, Lord chamberlain; who purpoſely delayed the ſearch, till the day before the meeting of the parliament. He remarked thoſe great piles of wood and faggots, which lay in the vault under the upper houſe; and he caſt his eye upon Fawkes, who ſtood in a dark corner, and paſſed himſelf for Piercy's ſervant. That daring and determined courage, which ſo much diſtinguiſhed this conſpirator, even among thoſe heroes in villany, was fully painted in his countenance, and was not paſſed unnoticed by the Lord chamberlain †. Such a quantity alſo of fuel, for the uſe of one who lived ſo little in town as Piercy, appeared a little extraordinary ‡; and upon comparing all circumſtances, it was reſolved that a more thorough inſpection ſhould be made. About midnight, Sir Thomas Knevet, a juſtice of peace, was ſent with proper attendants; and before the door of the vault, finding Fawkes, who had juſt finiſhed all his preparations, he immediately ſeized him, and turning over the faggots, diſcovered the powder. The matches and every thing proper for ſetting fire to the train were taken in Fawkes's pocket; who, finding his guilt now apparent, and ſeeing no refuge but in boldneſs and deſpair, expreſſed the utmoſt regret, that he had loſt the opportunity of firing the powder at once, and of ſweetning his own death by that of his enemies ‖. Before the council, he diſplayed the ſame intrepid firmneſs, mixed even with ſcorn and diſdain; refuſing to diſcover his accomplices, and ſhewing no concern but for the failure of the enterprize §. This obſtinacy laſted two or three days: But being confined to the Tower, left to reflect on

* K. James's Works, p. 227. † Id. p. 229. ‡ Id. ibid. ‖ Ibid. p. 230.
§ Winwood, vol. ii. p. 173.

his

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his guilt and danger, and the rack being juſt ſhown to him; his courage, fatigued with ſo long an effort, and unſupported by hope or ſociety, at laſt failed him; and he made a full diſcovery of all the conſpirators *.

CATESBY, Piercy, and the other criminals, who were in London; tho' they had heard of the alarm taken at the letter ſent to Monteagle, tho' they had heard of the Lord chamberlain's ſearch; yet were reſolved to perſiſt to the utmoſt, and never abandon their hopes of ſucceſs †. But at laſt, hearing that Fawkes was arreſted, they hurried away to Warwickſhire; where Sir Everard Digby, making account that ſucceſs had attended his confederates, was already in arms, in order to ſeize the princeſs Elizabeth. She had eſcaped into Coventry; and they were obliged to put themſelves on their defence againſt the country, who were raiſed from all quarters, and armed, by the ſheriffs. The conſpirators, with all their attendants, never exceeded the number of eighty perſons; and being ſurrounded on every ſide, could no longer entertain hopes, either of eſcaping or prevailing. Having therefore confeſſed themſelves, and received abſolution, they boldly prepared for death, and reſolved to ſell their lives as dear as poſſible to the aſſailants. But even this miſerable conſolation was denied them. Some of their powder took fire, and diſabled them for defence ‡. The people ruſhed in upon them. Piercy and Cateſby were killed with one ſhot. Digby, Rookwood, Winter, and others, being taken priſoners, were tried, confeſſed their guilt, and died, as well as Garnet, by the hands of the executioner. Notwithſtanding this horrid crime, the bigotted catholics were ſo devoted to Garnet, that they fancied miracles to be wrought by his blood ‖; and in Spain he was regarded as a martyr §.

NEITHER had the deſperate fortune of the conſpirators urged them to this enterprize, nor had the former profligacy of their lives prepared them for ſo great a crime. Before that audacious attempt, their conduct ſeems, in general, to be liable to no reproach. Cateſby's character had entitled him to ſuch regard, that Rookwood and Digby were ſeduced by their implicit truſt in his judgment; and they declared, that, from the motive alone of friendſhip to him, they were ready, on

* K. James's Works, p. 231.

† Some hiſtorians have imagined, that the King had ſecret intelligence of the conſpiracy, and that the letter to Monteagle was wrote by his direction, in order to obtain the fame of penetration in diſcovering the plot. But the known facts refute this ſuppoſition. That letter, being commonly talked of, might naturally have given an alarm to the conſpirators, and made them contrive their eſcape. The viſit of the Lord chamberlain ought to have had the ſame effect. In ſhort, it appears, that no body was arreſted or enquired after, for ſome days, till Fawkes diſcovered the names of the conſpirators. We may infer, however, from a letter in Winwood's Memorials, vol. ii. p. 171. that Saliſbury's ſagacity led the King in his conjectures, and that the miniſter, like an artful courtier, gave his maſter the praiſe of the whole diſcovery.

‡ State Trials, vol. i. p. 199. Diſcourſe of the Manner, &c. p. 69, 70.

‖ Winwood, vol. ii. p. 300. § Id. ibid.

any

any occaſion, to have ſacrificed their lives *. Digby himſelf was as highly eſteemed and beloved as any man in England; and he had been particularly honoured with the good opinion of Queen Elizabeth †. 'Twas bigotted zeal alone, the moſt abſurd of prejudices maſqued with reaſon, the moſt criminal of paſſions covered with the appearance of duty, which ſeduced them into meaſures, that were fatal to themſelves, and had ſo nearly proved fatal to their country ‡. Chap. II. 1605.

The Lords Mordaunt and Sturton, two catholics, were fined, the former 10,000 pounds, the latter 4000, by the ſtar-chamber; becauſe their abſence from parliament had begot a ſuſpicion of their being made acquainted with the conſpiracy. The Earl of Northumberland was fined 30,000 pounds, and detained ſeveral years priſoner in the Tower; becauſe, among other grounds of ſuſpicion, he had admitted Piercy into the number of gentlemen penſioners, without his taking the requiſite oaths ‖. Theſe ſentences may be thought ſomewhat arbitrary: But ſuch was the nature of all proceedings in the ſtar-chamber.

The King, in his ſpeech to the parliament, obſerved, that, tho' religion had engaged the conſpirators in ſo criminal an attempt, yet ought we not to involve all the Roman catholics in the ſame guilt, or ſuppoſe them equally diſpoſed to commit ſuch enormous barbarities. Many holy men, he ſaid, and our anceſtors among the reſt, had been ſeduced to concur with that church in her ſcholaſtic doctrines; who yet had never admitted her ſeditious principles, concerning the Pope's power of dethroning kings, or ſanctifying aſſaſſination. The wrath of heaven is denounced againſt crimes, but innocent error may obtain its favour; and nothing can be more hateful than the uncharitableneſs of the puritans, who condemn alike to eternal torments, even the moſt inoffenſive proſelytes to popery. For his part, he added, that conſpiracy, however atrocious, ſhould never alter, in the leaſt, his plan of government: While with one hand he puniſhed guilt; with the other, he would ſtill ſupport and protect innocence §. After this ſpeech, he prorogued the parliament, till the 22d of January ¶.

* State Trials, vol. i. p. 201. † Athen. Ox. vol. ii. fol. 354.

‡ Digby, after his condemnation, ſaid in a letter to his wife: "Now for my intention, let me tell "you, that if I had thought there had been the leaſt ſin in the plot, I would not have been of it for "all the world; and no other cauſe drew me to hazard my fortune and life but zeal to God's reli-"gion." He expreſſes his ſurpriſe to hear that any catholic had condemned it. *Digby's papers publiſhed by ſecretary Coventry.*

‖ Cambden in Kennet, p. 642. § K. James's Works, p. 503, 504.

¶ The parliament this ſeſſion paſſed an act obliging every one to take the oath of allegiance; a very moderate teſt, ſince it decided no controverted points between the two religions, and only engaged the perſon who took it, to abjure the Pope's power of dethroning Kings. See K. James's Works, p. 250.

Chap. II. 1606.

THE moderation, and, I may ſay, magnanimity, of the King, immediately after ſo narrow an eſcape from a moſt deteſtable conſpiracy, was nowiſe agreeable to his ſubjects. Their animoſity againſt popery, even before this provocation, had riſen to a great pitch; and it had perhaps been more prudent in James, by a little diſſimulation, to have conformed himſelf to it. His theological learning, confirmed by diſputation, had happily fixed his judgment in the proteſtant faith; yet was his heart a little biaſſed by the allurements of Rome, and he had been extremely pleaſed, if the making ſome advances could have effected an union with that antient mother-church. He ſtrove to abate the acrimony of his own ſubjects, againſt the religion of their fathers: He became himſelf the object of their diffidence and averſion. Whatever meaſures he embraced; in Scotland to introduce prelacy, in England to inforce the authority of the preſent church, and ſupport its rites and ceremonies; were interpreted as ſo many ſteps towards popery, and were repreſented by the puritans as ſymptoms of idolatry and ſuperſtition. Ignorant of the conſequences, or unwilling to ſacrifice to politics his inclination, which he called his conſcience, he perſevered in the ſame meaſures, and gave truſt and preferment, almoſt indifferently, to his catholic and proteſtant ſubjects. And finding his perſon, as well as his title, leſs obnoxious to the church of Rome, than thoſe of Elizabeth, he gradually abated the rigour of thoſe laws, which had been enacted againſt that church, and which were ſo acceptable to his bigotted ſubjects. But the effects of theſe diſpoſitions, on both ſides, became not very ſenſible, till towards the concluſion of his reign.

AT this time, James ſeems to have poſſeſſed, in ſome degree, the affections even of his Engliſh ſubjects, and in a pretty high degree, their eſteem and regard. Hitherto their complaints were chiefly levelled againſt his too great conſtancy in his early friendſhips; a quality, which, had it been attended with more oeconomy, the wiſe would have excuſed, and the candid would even, perhaps, have applauded. His parts, which were not deſpicable, and his learning, which was great, being highly extolled by his courtiers and gownmen, and not yet tried in the management of any delicate affairs, for which he was unfit, raiſed a very high idea of him in the world; nor was it always thro' flattery or inſincerity, that he received the title of the ſecond Solomon. A report, which was ſuddenly ſpread about this time, of his being aſſaſſinated, viſibly ſtruck a great conſternation into all orders of men †. The commons alſo abated, this ſeſſion, ſomewhat of their exceſſive frugality; and granted him an aid of three ſubſidies and ſix fifteenths, which, Sir Francis Bacon ſaid in the houſe ‡, might amount to about four hundred thouſand pounds: And for once the King and parliament parted in friendſhip and good humour. The hatred, which the catholics ſeemed to bear him, gave

A parliament.

† Kennet, p. 676. ‡ Journ. 20th May, 1606.

him,

him, at this time, an additional value in the eyes of his people. The only point in which the commons gave him diſpleaſure, was by diſcovering their conſtant good-will to the puritans, in whoſe favour they deſired a conference with the Lords *, which was rejected. Chap. II. 1606.

THE aid, granted by parliament, was payable in four years; and the King's profuſion, joined to the neceſſary charges of the government, had already very much anticipated this ſupply, and diſpoſed him to diſſipate, in a very little time, among his friends and courtiers, the reſidue of it. To engage him farther into expence, his brother-in-law, the King of Denmark, paid him a viſit this ſummer; and the whole court was employed in feaſting and revelry, in maſques and interludes †. Great erudition and profound morality, with little taſte or pleaſantry, prevail in all theſe entertainments: Myſtery, allegory, and alluſion reign throughout. Italy was then the model for wit and ingenuity among the European nations. France herſelf, who afterwards ſet ſo much better patterns of elegance and pleaſure, was at that time contented to copy ſervilely the laboured and romantic inventions of her ſouthern neighbour.

THE chief affair which was tranſacted next ſeſſion, was the intended union of the two kingdoms. Nothing could exceed the King's paſſion and zeal for this noble enterprize, but the parliament's prejudice and reluctance againſt it. There remain two excellent ſpeeches in favour of the union, which deſerve to be compared together; that of the King ‖, and that of Sir Francis Bacon. Thoſe, who affect in every thing ſuch an extreme contempt for James, will be ſurpriſed to find, that his diſcourſe, both for good reaſoning and eloquent compoſition, approaches very near that of a man, who was undoubtedly, at that time, one of the greateſt geniuſes of Europe. A few trivial indiſcretions and indecorums may be ſaid to characterize the harangue of the monarch, and mark it for his own. And in general, ſo open and avowed a declaration in favour of a meaſure, where he had taken no care, by any precaution or intrigue, to enſure ſucceſs, may ſafely be pronounced a very great indiſcretion. But the art of managing parliaments, by private intereſt or cabal, being found hitherto of little uſe or neceſſity, was not, as yet, become a part of Engliſh politics. In the common courſe of affairs, government could be conducted without their aſſiſtance; and when their concurrence became requiſite to the meaſures of the crown, it was, generally ſpeaking, except in times of great faction and diſcontent, obtained without much difficulty. Novemb. 18.

THE King's influence ſeems to have rendered the Scots parliament very cordial in all the ſteps, which they took towards the union. Tho' the advantages, which Scotland might hope from that meaſure, were more conſiderable;

* Journ. 5th April, 1606. † Kennet, p. 676. ‖ K. James's Works, p. 509.

Chap. II. 1606.

yet were the objections too, with regard to that kingdom, more ſtriking and obvious. The benefit, which muſt have reſulted to England, both by acceſſion of ſtrength and ſecurity, was not deſpicable; and as the Engliſh were, by far, the greater nation, and poſſeſſed the ſeat of government, the objections, either from the point of honour or from jealouſy, could not reaſonably have any place among them. The Engliſh parliament indeed ſeem to have been ſwayed merely by the vulgar motive of national antipathy. And they perſiſted ſo obſtinately in their prejudices, that all the efforts for a thorough union and incorporation, ended only in the abolition of the hoſtile laws, formerly enacted between the kingdoms *.

SOME precipitant ſteps, which the King, a little after his acceſſion, had taken, in order to promote his favourite project, had been here obſerved to do more injury than ſervice. From his own authority, he had aſſumed the title of King of Great Britain; and had quartered the arms of Scotland, with thoſe of England, in all coins, flags, and enſigns. And he had engaged the judges to make a declaration, that all thoſe, who, after the union of the crowns, ſhould be born in either kingdom, were, for that reaſon alone, naturalized in both. This was a nice queſtion, and, according to the ideas of thoſe times, ſuſceptible of ſubtile reaſoning on both ſides. The King was the ſame: The parliaments were different. To render the people therefore the ſame, we muſt ſuppoſe, that the ſovereign authority reſides chiefly in the prince, and that theſe popular aſſemblies are rather ordained to aſſiſt with money and advice, than indued with any controuling or active powers in the government. *It is evident*, ſays Bacon, in his pleadings on this ſubject, *that all other commonwealths, monarchies only excepted, do ſubſiſt by a law precedent. For where authority is divided amongſt many officers, and they not perpetual, but annual or temporary, and not to receive their authority but by election, and certain perſons to have voices only in that election, and the like; theſe are buſy and curious frames, which of neceſſity do preſuppoſe a law precedent, written or unwritten, to guide and direct them: But in monarchies, eſpecially hereditary, that is, when ſeveral families or lineages of people do ſubmit themſelves to one line, imperial or royal, the ſubmiſſion is more natural and ſimple; which afterwards, by law ſubſequent, is perfected and made more formal; but that is grounded upon nature* †. It would ſeem from this reaſoning, that the idea of an *hereditary, limited* monarchy, tho' implicitly ſuppoſed in many public tranſactions, had never, as yet, been expreſsly formed, by any Engliſh lawyer or politician.

* The Commons were even ſo averſe to the union, that they had complained, in the former ſeſſion, to the lords, of the Biſhop of Briſtol, for writing a book in favour of it; and the prelate was obliged to make ſubmiſſions for this offence. The crime imputed to him ſeems to have conſiſted in his treating of a ſubject, which lay before the Parliament. So little notion had they as yet of general liberty! See Parliam. Hiſt. vol. v. p. 108, 109, 110.

† Bacon's Works, vol. iv. p. 190, 191. Edit. 1730.

EXCEPT

Except the obſtinacy of the parliament with regard to the union, and an attempt on the King's eccleſiaſtical juriſdiction *, moſt of their meaſures, during this ſeſſion, were ſufficiently reſpectful and obliging; tho' they ſtill diſcover a vigilant ſpirit, and a careful attention towards public good and national liberty. The votes alſo of the commons ſhow, that that houſe contained a mixture of puritans, who had acquired great authority among them †, and who, together with religious prejudices, were continually ſuggeſting ideas, more ſuitable to a popular than a monarchical form of government. The natural appetite for rule, made the commons lend a willing ear to every doctrine, which tended to augment their power and influence. Chap. II. 1606.

A petition was moved in the houſe for a more rigorous execution of the laws againſt popiſh recuſants, and an abatement towards proteſtant nonconformiſts. Both theſe points were equally unacceptable to the King; and he ſent orders to the houſe to proceed no farther in that matter. The houſe were inclined, at firſt, to conſider theſe orders as a breach of privilege: But they ſoon acquieſced, when told, that this meaſure of the King, was ſupported by many precedents, during the reign of Elizabeth ‡. Had the houſe been always diſpoſed to make the precedents of that reign the rule of their conduct, they needed never have had any difference with any of their monarchs. 1607.

The complaints of Spaniſh depredations were very loud among the Engliſh merchants §. The lower houſe ſent a meſſage to the lords, deſiring a conference with them, in order to their preſenting a joint petition to the King on that ſubject. The lords took ſome time to deliberate on this meſſage; becauſe, they ſaid, the matter was *weighty* and *rare*. It probably occured to them, at firſt, that the parliament's interpoſing in affairs of ſtate would appear unuſual and extraordinary. And to ſhow, that in this ſentiment they were not guided by court influence; after they had deliberated, they agreed to the conference. 5th of June.

The houſe of commons began now to feel themſelves of ſuch importance, that, on the motion of Sir Edwin Sandys, a member of great authority, they entered, for the firſt time, an order for the regular keeping of their journals ‖. When all buſineſs was finiſhed, the King prorogued the parliament.

About this time, there was an inſurrection of the country people in Northamptonſhire, headed by one Reynolds, a man of low condition. They went about deſtroying incloſures; but carefully avoided the committing any other outrage. This inſurrection was eaſily ſuppreſſed, and, tho' great lenity was uſed towards the inſurgents, yet were ſome of the ringleaders puniſhed. The chief cauſe of that trivial 4th of July.

* Journ. 2d, 11th December, 5th March, 1606. 25th, 26th June, 1607. † Journ. 26th February, 4th, 7th March, 1606. 2d May, 17th June, 1607. ‡ Journ. 16th, 17th June, 1607. § Journ. 25th February, 1606. ‖ Journ. 3d July, 1607.

com-

Chap. II. 1607. commotion ſeems to have been, of itſelf, far from trivial. It was become the common practice in England to diſuſe tillage, and throw the land into incloſures for the ſake of paſture. By this means, the kingdom was depopulated, or at leaſt, prevented from increaſing ſo much in people, as might have been expected from the daily increaſe of induſtry and commerce.

1608. NEXT year preſents us with nothing memorable: But in the ſpring of the ſub-

1609. ſequent, after a long negociation, was concluded, by a truce of twelve years, that war, which, for near half a century, had been carried on with ſuch fury, between Spain and the ſtates of the United Provinces. Never conteſt ſeemed, at firſt, more unequal: Never conteſt was finiſhed with more honour to the weaker party. On the ſide of Spain were numbers, riches, authority, diſcipline: On the ſide of the revolted provinces were found the attachment to liberty and the enthuſiaſm of religion. By her naval enterprizes the republic maintained her armies; and joining peaceful induſtry to military valour, ſhe was enabled, by her own force, to ſupport herſelf, and gradually rely leſs on thoſe neighbouring princes, who, from jealouſy to Spain, were at firſt prompted to encourage her revolt. Long had the pride of that monarchy prevailed over her intereſt, and prevented her from hearkening to any terms of accommodation with her rebellious ſubjects. But finding all intercourſe cut off between her provinces by the maritime force of the ſtates, ſhe at laſt agreed to treat with them as a free people, and ſolemnly to renounce all claim and pretenſion to their ſovereignty.

Truce betwixt Spain and the United Provinces.

March 30. THIS chief point being once gained, the treaty was eaſily brought to a concluſion, under the joint mediation and guarantee of France and England. All exterior appearances of honour and regard were paid equally to both crowns: But very different were the ſentiments which the ſtates, as well as all Europe, entertained of the princes who wore them. Frugality and vigour, the chief circumſtances, which procure regard among foreign nations, ſhone as conſpicuouſly in Henry as they were defective in James. To a contempt of the Engliſh Monarch, Henry ſeems to have added a conſiderable degree of jealouſy and averſion, which were ſentiments altogether without foundation. James was perfectly juſt and fair in all tranſactions with his allies *; but it appears from the memoirs of thoſe times, that each ſide deemed him partial towards their adverſary, and fancied, that he had entered into ſecret meaſures againſt them †. So little equity have men in their

* The plan of accommodation which James recommended is found in Winwood, vol. ii. p. 429, 430, and is the ſame that was recommended by Henry, as we learn from Jeanin, tom. iii. p. 416, 417. It had long been imagined by hiſtorians, from Jeanin's authority, that James had declared to the court of Spain, that he would not ſupport the Dutch in their pretenſions to liberty and independence. But it has ſince been diſcovered by Winwood's Memorials, vol. ii. p. 456, 466, 469, 475, 476, that that report was founded on a lie of Preſident Richardot's.

† Winwood and Jeanin, paſſim.

judgments of their own affairs; and so dangerous is that entire neutrality affected by the King of England! Chap. II. 1609.

THE little concern, which James took in foreign affairs, renders the domestic occurrences, particularly those of parliament, the most interesting of his reign. A new session was held this spring; the King full of hopes of receiving supply; the commons, of circumscribing his exorbitant prerogative. The Earl of Salisbury, now created treasurer on the death of the Earl of Dorset, laid open the King's necessities, first to the Peers, then to a committee of the lower house *. He insisted on the unavoidable expences, in supporting the navy, and in suppressing a late insurrection in Ireland: He mentioned three numerous courts, which the King was obliged to maintain, for himself, for the Queen, and for the Prince of Wales: He observed, that Queen Elizabeth, tho' a single woman, had received very large supplies, in the years preceding her death, which alone were expensive to her: And he asserted, that, during her reign, she had very much dissipated the crown-lands; an expedient, which, tho' it supplied her present necessities, without laying burthens on her people, multiplied extremely the necessities of her successor. From all these causes he thought it nowise strange, that the King's income should fall short so great a sum as eighty one thousand pounds of his stated and regular expence; without mentioning contingencies, which ought always to be esteemed a fourth of the yearly charges. And as the crown was now necessarily burthened with a great and urgent debt of 300,000 pounds, he thence inferred the absolute necessity of an immediate and large supply from the people. To all these reasons, which James likewise urged in a speech addressed to both houses, the commons remained inexorable. But not to shock the King with an absolute refusal, they granted him one subsidy and one fifteenth; which would scarce amount to a hundred thousand pounds. And James received the mortification of discovering, in vain, all his wants, and of begging aid of subjects, who had no reasonable indulgence nor consideration for him. 1610. February 9. A parliament. March 21.

AMONG the many causes of disgust and quarrel, which now, daily and unavoidably, multiplied between Prince and parliament, this article of money is to be regarded as none of the least considerable. After the discovery and conquest of the West-Indies, gold and silver became every day more plentiful in England, as well as in the rest of Europe; and the price of all commodities and provisions rose to a pitch beyond what had ever been known, since the declension of the Roman empire. As the revenue of the crown rose not in proportion †, the Prince was insensibly reduced to poverty amidst the general riches of his subjects, and required additional funds, in order to support the same magnificence and force, which had been maintained by former monarchs. But while money thus flowed

* Journ. 17th February, 1609. Kennet, p. 681.

† Besides the great dissipation of the crown-lands, the fee-farm-rents never increased, and the other lands were let on long leases and at a great undervalue, little or nothing above the old rent.

into

Chap. II. 1610. into England, we may obſerve, that, at the ſame time, and probably from that very cauſe, art and induſtry of all kinds received a mighty increaſe; and elegance in every enjoyment of life became better known, and more cultivated among all ranks of people. The king's ſervants, both civil and military, his courtiers, his miniſters, demanded more ample ſupplies from the impoveriſhed Prince, and were not contented with the ſame ſimplicity of living, which had ſatisfied their anceſtors. The Prince himſelf began to regard an increaſe of pomp and ſplendor as requiſite to ſupport the dignity of his character, and to preſerve the ſame ſuperiority above his ſubjects, which his predeceſſors had enjoyed. Some equality too, and proportion to the other ſovereigns of Europe, it was natural for him to deſire; and as they had univerſally enlarged their revenue and multiplied their taxes, the King of England deemed it reaſonable, that his ſubjects, who were generally as rich as theirs, ſhould bear with patience ſome additional burthens and impoſitions.

UNHAPPILY for the King, thoſe very riches, with the increaſing knowledge of the age, bred oppoſite ſentiments in his ſubjects; and begetting a ſpirit of freedom and independence, diſpoſed them to pay little regard, either to the entreaties or menaces of their ſovereign. While the barons poſſeſſed their former immenſe property and extenſive juriſdictions, they were apt, on every diſguſt, to endanger the monarch, and throw the whole government into confuſion: But this very confuſion often, in its turn, proved favourable to the monarch, and made the nation again ſubmit to him, in order to re-eſtabliſh juſtice and tranquillity. After that both the power of alienations, and the increaſe of commerce had thrown the balance of property into the hands of the commons, the ſituation of affairs and the diſpoſitions of men became ſuſceptible of a more regular plan of liberty; and the laws were not ſupported ſingly by the authority of the ſovereign. And tho' in that interval, after the decline of the peers, and before the people had yet experienced their force, the princes aſſumed an exorbitant power, and had almoſt annihilated the conſtitution under the weight of their prerogative; ſo ſoon as the commons recovered from their lethargy, they ſeem to have been aſtoniſhed at the danger, and were reſolved to ſecure liberty by firmer barriers, than their anceſtors had hitherto provided for it.

HAD James poſſeſſed a very rigid frugality, he might have warded off this criſis ſomewhat longer; and waiting patiently for a favourable opportunity to increaſe and fix his revenue, might have ſecured the extenſive authority, which was tranſmitted to him. On the other hand, had the commons been inclined to act with more generoſity and kindneſs towards their Prince, they might probably have turned his neceſſities to good account, and have bribed him to depart peaceably from the moſt dangerous articles of his prerogative. But he was a foreigner, and ignorant of the arts of popularity; they were ſoured by religious prejudices, and tenacious of their money: And, in this ſituation, it is no wonder, that, during

this whole reign, we ſcarce find an interval of mutual confidence and friendſhip between prince and parliament.

The King, by his prerogative alone, had, ſome years before, altered the rates of the cuſtoms, and had eſtabliſhed new impoſitions on ſeveral kinds of merchandize. This exerciſe of power will naturally, to us, appear arbitrary and illegal; yet, according to the principles and practices of that time, it might admit of ſome apology. The duties of tonnage and poundage were at firſt granted to the crown, by a vote of parliament, and for a limited time; and as the grant frequently expired and was renewed, there could not then ariſe any controverſy concerning the origin of the King's right to levy theſe duties; and this impoſition, like all others, was plainly derived from the voluntary conſent of the people. But as Henry V. and all the ſucceeding princes, had the revenue conferred on them for life, the Prince, ſo long in poſſeſſion of theſe duties, began gradually to conſider them as his own proper right and inheritance, and regarded the vote of parliament as a mere formality, which rather expreſſed the acquieſcence of the people in his prerogative, than beſtowed any new gift or revenue upon him.

The Parliament, when it firſt granted poundage to the crown, had fixed no particular rates: The impoſition was given as a ſhilling a pound, or five *per cent.* on all commodities: It was left to the King himſelf and the Privy Council, aided by the advice of ſuch merchants as they ſhould think proper to conſult, to fix the value of goods, and thereby the rates of the cuſtoms: And as that value had been ſettled before the diſcovery of the Weſt-Indies, it was become much inferior to the prices, which almoſt all commodities bore in every market of Europe; and conſequently, the cuſtoms, tho' ſuppoſed to be five *per cent.* did not, in reality, amount to a third of that value. The King, therefore, was naturally led to think, that rates, which were now plainly falſe, ought to be corrected †; that a valuation of commodities, fixed by one act of the privy council, might be amended by another; that if his right to poundage was inherent in the crown, he ſhould alſo poſſeſs, of himſelf, the right of correcting its inequalities; if it was granted by the people, he ſhould at leaſt ſupport the ſpirit of the law, by fixing a new and a juſter valuation of all commodities. But beſides this reaſoning, which ſeems plauſible, if not ſolid, the King was ſupported in that act of power by two direct precedents, one in the reign of Mary, another in the beginning of Elizabeth ‡. Both theſe Princeſſes had, without conſent of parliament, altered the rates of ſome particular commodities; and as their impoſitions had, all along, been ſubmitted to without a murmur, and ſtill continued to be levied, the King had no reaſon to apprehend, that a farther exerciſe of the ſame authority would give

† Winwood, vol. ii. p. 438.

‡ Journ. 18th April, 5th and 10th May, 1614, &c. 20th February, 1625.

Chap. II. 1610.

any occaſion of complaint. That leſs umbrage might be taken, he was extremely moderate in the new rates, which he eſtabliſhed. The law entitled him to levy five *per cent.* on all commodities; yet he really did not, on the whole, exceed two: The cuſtoms, during his whole reign, roſe only from 127,000 pounds a-year to 160,000; tho' beſides the encreaſe of the rates, there was a ſenſible encreaſe of commerce and induſtry during that period: But all this precaution could not ſave him from the complaints of the houſe of commons. A ſpirit of liberty had now taken poſſeſſion of that houſe: The leading members, being men of an independant genius and large views, began to regulate their opinions, more by the future conſequences which they foreſaw, than by the former precedents which were laid before them; and they leſs aſpired at maintaining the antient conſtitution, than at eſtabliſhing a new one, and a freer and a better. In their remonſtrances to the King on this occaſion, they obſerved it to be a general opinion, *That the reaſons of that practice might be extended much farther, even to the utter ruin of the antient liberty of the kingdom, and the ſubjects' right of property in their lands and goods* *. Tho' expreſly forbid by the King to touch his prerogative, they paſſed a bill aboliſhing theſe impoſitions; which was rejected by the houſe of lords.

In another addreſs to the King, they objected to the practice of borrowing upon privy ſeals, and deſired, that the ſubjects ſhould not be forced to lend money to his Majeſty, nor give a reaſon for their refuſal. Some murmurs likewiſe were thrown out in the houſe againſt a new monopoly of the licence of wines †. It muſt be confeſſed, that forced loans and monopolies were eſtabliſhed on many and recent precedents; tho' diametrically oppoſite to all the principles of a free government ‡.

The houſe likewiſe diſcovered ſome diſcontent againſt the King's proclamations. James told them, *That tho' he well knew, by the conſtitution and policy of the kingdom,*

* Journ. 23d May, 1610. † Parliament. Hiſt. vol. v. p. 241.

‡ We find the King's anſwer in Winwood's Memorials, vol. iii. p. 193, 2d edit. "To the third and fourth "(namely, that it might be lawful to arreſt the King's ſervants without leave, and that no man ſhould "be inforced to lend money, nor to give a reaſon why he would not) his Majeſty ſent us an anſwer, "that becauſe we brought precedents of antiquity to ſtrengthen thoſe demands, he allowed not of any "precedents drawn from the time of uſurping or decaying princes, or people too bold and wanton; "that he deſired not to govern in that commonwealth, where ſubjects ſhould be aſſured of all things, "and hope for nothing. It was one thing *ſubmittere principatum legibus*; and another thing *ſubmit-"tere principatum ſubditis.* That he would not leave to poſterity ſuch a mark of weakneſs upon his "reign; and therefore his concluſion was, *non placet petitio, non placet exemplum:* Yet with this mitiga-"tion, that in matters of loans he would refuſe no reaſonable excuſe, nor ſhould my Lord Chamber-"lain deny the arreſting of any of his Majeſty's ſervants, if juſt cauſe was ſhown." The parliament, however, acknowledged at this time with thankfulneſs to the King, that he allowed diſputes and inquiries about his prerogative, much beyond what had been indulged by any of his predeceſſors. *Parliament. Hiſt.* vol. v. p. 230. This very ſeſſion, he expreſsly gave them leave to produce all their grievances, without exception.

that proclamations were not of equal force with laws; yet he thought it a duty incumbent on him, and a power inſeparably annexed to the crown, to reſtrain and prevent ſuch miſchiefs and inconveniencies as he ſaw growing on the ſtate, againſt which no certain law was extant, and which might tend to the great detriment of the ſubject, if there ſhould be no remedy provided till the meeting of a parliament. And this prerogative, he adds, *our progenitors have, as well in antient as later times, uſed and enjoyed**. The intervals between ſeſſions, we may obſerve, were frequently ſo long as to render it requiſite for a prince to interpoſe by his prerogative; and it was an eſtabliſhed maxim among the lawyers, that all the proclamations of a king were abrogated by his death †. But what the authority could be, which bound the ſubjects, and yet was inferior to the authority of laws, ſeems inexplicable by any maxims of reaſon or politics: And in this inſtance, as in many others, it is eaſy to ſee, how unintelligible the Engliſh conſtitution was, before the parliament was able, by continued acquiſitions or encroachments, to eſtabliſh it on fixt principles of liberty.

Upon the ſettlement of the reformation, that extenſive branch of power, which regards eccleſiaſtical matters, being then without an owner, ſeemed to belong to the firſt occupier; and Henry VIII. failed not immediately to ſeize it, and to exert it even to the utmoſt degree of tyranny. The poſſeſſion of it was continued with Edward; and recovered by Elizabeth; and that ambitious Princeſs was ſo remarkably jealous of this flower of her crown, that ſhe ſeverely reprimanded the parliament, if they ever preſumed to intermeddle in theſe matters; and they were ſo over-awed by her authority, as to ſubmit, and to aſk pardon on theſe occaſions. But James's parliaments were much leſs obſequious. They ventured to lift up their eyes, and to conſider this prerogative. They there ſaw a very large province of government, poſſeſſed by the King alone, and never communicated with the parliament. They were ſenſible, that this province admitted not of any exact boundary or circumſcription. They had felt, that the Roman pontiff, in former ages, under pretence of religion, was gradually making advances to uſurp the whole civil power. They dreaded ſtill more dangerous conſequences from the claims of their own ſovereign, who reſided among them, and who, in many other reſpects, poſſeſſed ſuch unlimited authority. They therefore deemed it abſolutely neceſſary to circumſcribe this branch of prerogative; and accordingly, in the preceding ſeſſion, they paſſed a bill againſt the eſtabliſhment of any eccleſiaſtical canons without conſent of parliament ‡. But the houſe of lords, as is uſual, defended the barriers of the throne, and rejected the bill.

In this ſeſſion, the commons contented themſelves with remonſtrating againſt the proceedings of the *high commiſſion court* §. It required no great penetration to

* Parliament. Hiſt. vol. v. p. 250. † Journ. 12th May, 1614. ‡ Journ. 2d, 11th December; 5th March, 1606. § Parliament. Hiſt. vol. v. p. 247. Kennet, p. 681.

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ſee the extreme danger to liberty, ariſing from large diſcretionary powers in a regal government. But James, as was natural, refuſed compliance with the application of the commons. He was probably ſenſible, that, beſides the great diminution of his authority, many inconveniencies muſt neceſſarily reſult from the aboliſhing all power of this nature in every magiſtrate; and that the laws, were they ever ſo carefully framed and digeſted, could not poſſibly provide againſt all contingencies; much leſs, where they had not, as yet, attained a ſufficient degree of accuracy and refinement.

But the buſineſs, which chiefly occupied the commons, during this ſeſſion, was the abolition of wardſhips and purveyance; prerogatives, which had been more or leſs touched on, every ſeſſion, during the whole reign of James. In this affair, the commons employed the proper means, which might intitle them to ſucceſs: They offered the King a ſettled revenue as an equivalent for the powers, which he ſhould part with; and the King was willing to hearken to terms. After much diſpute, he offered to give up theſe prerogatives for 200,000 pounds a-year, which they agreed to confer on him *: And nothing remained, towards cloſing the bargain, but that the commons ſhould determine the funds, from which this ſum ſhould be levied. This ſeſſion was too far advanced to bring ſo difficult a matter to a full concluſion; and tho' the parliament met again, towards the end of the year, and reſumed the queſtion, they were never able to terminate an affair, which they ſeemed ſo intent upon. The journals of that ſeſſion are loſt; and as the hiſtorians of this reign are very negligent in relating parliamentary affairs, of whoſe importance they were not ſufficiently appriſed, we know not exactly the reaſon of this failure. It only appears, that the King was extremely diſſatisfied with the conduct of the parliament, and ſoon afterwards diſſolved it. This was his firſt parliament, and it ſat near ſeven years.

In the midſt of all theſe attacks, ſome more, ſome leſs violent, on royal prerogative, the King diſplayed, as openly as ever, all his exalted notions of monarchy

*We learn from Winwood's Memorials, vol. ii. p. 193, the reaſon aſſigned for this particular ſum. "From thence my Lord Treaſurer came to the price; and here he ſaid, that the King would no more "riſe and fall like a merchant. That he would not have a flower of his crown (meaning the court "of wards) ſo much toſſed; that it was too dainty to be ſo handled: And then he ſaid, that he "muſt deliver the very countenance and character of the King's mind out of his own hand-writing: "which, before he read, he ſaid he would acquaint us with a pleaſant conceit of his Majeſty. As con-"cerning the number of nineſcore thouſand pounds, which was our number, he could not affect, be-"cauſe nine was the number of the poets, who were always beggars, tho' they ſerved ſo many mu-"ſes; and eleven was the number of the apoſtles, when the traitor, Judas, was away; and there-"fore might beſt be affected by his Majeſty: But there was a mean number, which might accord us "both; and *that was ten:* which, ſaid my Lord Treaſurer, is a ſacred number; for ſo many were "God's commandments, which tend to virtue and edification." If the commons really voted 20,000 pounds a year more, on account of this *pleaſant conceit* of the King and the Treaſurer, it was certainly the beſt paid wit, for its goodneſs, that ever was in the world.

and

and the authority of princes. Even in a ſpeech to the parliament, where he begged for ſupply, and where he ſhould naturally have uſed every art to ingratiate himſelf with that aſſembly, he expreſſed himſelf in theſe terms; "I conclude, then, the "point, touching the power of kings, with this axiom of divinity, that, as to diſ- "pute *what God may do*, is blaſphemy, but *what God wills*, that divines may "lawfully and do ordinarly diſpute and diſcuſs; ſo is it ſedition in ſubjects to "diſpute what a king may do in the height of his power. But juſt kings will "ever be willing to declare what they will do, if they will not incur the curſe of "God. I will not be content, that my power be diſputed upon; but I ſhall ever "be willing to make the reaſon appear of my doings, and rule my actions accord- "ing to *my* laws *." Notwithſtanding the great extent of prerogative in that age, theſe expreſſions would probably give ſome offence. But we may obſerve, that, as the King's deſpotiſm was more ſpeculative than practical, ſo the indepen- dency of the commons was, at this time, the contrary; and, tho' ſtrongly ſupported by their preſent ſituation as well as diſpoſition, was too new and recent to be as yet founded on ſyſtematical principles and opinions †. Chap. II. 1610.

THIS year was diſtinguiſhed by a memorable event, which gave great alarm and concern in England; the murder of the French monarch by the poniard of

* King James's Works, p. 531.

† It may not be unworthy obſervation, that James, in a Book called *The true Law of free Monarchies*, which he publiſhed a little before his acceſſion to the crown of England, affirmed, "That a good king, "altho' he be above the law, will ſubject and frame his actions thereto, for example's ſake to his ſub- "jects, and of his own free-will, but not as ſubject or bound thereto." In another paſſage, "Accord- "ing to the fundamental law already alleged, we daily ſee, that in the parliament (which is nothing "elſe but the head-court of the king and his vaſſals) the laws are but craved by his ſubjects, and only "made by him at their rogation, and with their advice. For albeit the king *make daily* ſtatutes and "ordinances, enjoining ſuch pains thereto as he thinks meet, without any advice of parliament or "eſtates; yet it lies in the power of no parliament to make any kind of law or ſtatute, without his ſcep- "tre be to it, for giving it the force of a law." *K. James's Works*, p. 202. It is not to be ſuppoſed, that, at ſuch a critical juncture, James had ſo little ſenſe as, directly, in ſo material a point, to have openly ſhocked what were the univerſally eſtabliſhed principles of that age: On the contrary, we are told by hiſtorians, that nothing tended more to facilitate his acceſſion, than the good opinion enter- tained of him by the Engliſh, on account of his learned and judicious writings. The queſtion, how ever, with regard to the royal power was, at this time, become a very dangerous point; and withou employing ambiguous, inſignificant terms, which determined nothing, it was impoſſible to pleaſe both King and parliament. Dr. Cowell, who had magnified the prerogative in words too intelligible, fell this ſeſſion, under the indignation of the commons. *Parliament. Hiſt.* vol. v. p. 221. The King him- ſelf, after all his magnificent boaſts, was obliged to make his eſcape thro' a diſtinction, which he framed between a king *in abſtracto* and a king *in concreto:* An abſtract king, he ſaid, had all power but a concrete king was bound to obſerve the laws of the country, which he governed. *K. James' Works*, p. 533. But, how bound? By conſcience only? Or might his ſubjects reſiſt him and defend their privileges? This he thought not fit to explain. And ſo difficult is it to explain that point, that to this day, whatever liberties may be uſed by private inquirers, the laws have, very prudently, though proper to maintain a total ſilence with regard to it.

the

Chap. II. 1610. 3d of May. Death of the French King.

the fanatical Ravaillac. That experience, and reputation, which this heroic prince had been acquiring for ſo many years; thoſe treaſures, which he had amaſſed; thoſe armies, which he had inliſted and diſciplined; were on the point of being employed in ſome great enterprize, which would probably have changed the face of Europe; when a period was put to his glory by an enthuſiaſtic madman, who ſacrificed at once his own life and that of the prince to his deteſtable prejudices. Were the deſigns, aſcribed to Henry by the compilers of Sully's Memoirs, leſs chimerical, they might be admitted, on account of the teſtimony, by which that narration is ſupported: But ſuch vaſt projects, had they been real, he muſt have revolved and digeſted in his mind for many years; and 'tis obſervable, that about a twelve-month before, he had been very inſtrumental in making peace between Spain and the United Provinces; a meaſure, by which he deprived himſelf of the aſſiſtance of his firmeſt ally, and the beſt able to ſecond his enterpriſes. 'Tis more probable, that the war, which, at the time of his death, he intended to commence againſt Spain, was the reſult of ambition, revenge, or love, in a powerful and military prince, who had long wiſhed for an opportunity of attacking his enemy, and who was at laſt rouſed by a ſudden motive or provocation. With his death, the glory of the French monarchy ſuffered an eclipſe for ſome years; and that kingdom falling under an adminiſtration weak and bigotted, factious and diſorderly, the Auſtrian greatneſs began anew to appear formidable to Europe.

In England, the antipathy to the catholics revived a little upon this tragical event; and ſome of the laws, which had been formerly enacted for no other purpoſe than to keep theſe religioniſts in awe, began now to be executed with greater rigour and ſeverity †.

1611. Arminianiſm.

Tho' James's timidity and indolence fixed him, during moſt of his reign, in a very prudent inattention to foreign affairs, there happened, this year, an event in Europe of ſuch mighty conſequence as to rouze him from his lethargy, and ſummon up all his zeal and enterprize. A profeſſor of divinity, named Vorſtius, the diſciple of Arminius, was called from a German to a Dutch univerſity; and as he differed from his Britannic Majeſty in ſome nice queſtions concerning the intimate eſſence and ſecret decrees of God, he was conſidered as a dangerous rival in ſcholaſtic fame, and was, at laſt, obliged to yield to the legions of that royal doctor, whoſe ſyllogiſms he might have refuted or eluded. If vigour was wanting in other incidents of James's reign, here he behaved even with haughtineſs and inſolence; and the ſtates were obliged, after ſeveral remonſtrances, to deprive Vorſtius of his chair, and to baniſh him their dominions ‡. The King carried no farther his proſecutions againſt that profeſſor; tho' he had very charitably hinted to

† Kennet, p. 684. ‡ Id. p. 715.

the

the ſtates, *That, as to the burning Vorſtius for his blaſphemies and atheiſm, he left them to their own chriſtian wiſdom; but ſurely never heretic better deſerved the flames* †. It is to be remarked, that, at this period, all over Europe, except in Holland alone, the practice of burning heretics ſtill prevailed, even in proteſtant countries; and inſtances were not wanting in England, during the reign of James. The Dutch themſeles were, at laſt, by ſtate intrigue, and the tyranny of Prince Maurice, forced from their rational and humane maxims; and the perſecuting bigots, a little after this time, ſignalized their power by the death of the virtuous Barnevelt, and the impriſonment of the virtuous and learned Grotius. The ſcholaſtic controverſies about free-will, and grace, and predeſtination, begot theſe violent convulſions. Chap. II. 1611.

In tracing the coherence among the ſyſtems of modern theology, we may obſerve, that the doctrine of abſolute decrees has ever been intimately connected with the enthuſiaſtic ſpirit; as that doctrine affords the higheſt ſubject of joy, triumph, and ſecurity, to the ſuppoſed elect, and exalts them, by infinite degrees, above the reſt of mankind. All the firſt reformers adopted theſe principles; and the Janſeniſts too, a fanatical ſet in France, not to mention the Mahometans in Aſia, have ever embraced them. As the Lutheran eſtabliſhments were ſubjected to epiſcopal juriſdiction, their enthuſiaſtic genius gradually decayed; and men had leiſure to perceive the abſurdity of ſuppoſing God to puniſh, by infinite torments, what he himſelf, from all eternity, had unchangeably decreed. The King, tho', at this time, his Calviniſtic education had rivetted him in the doctrine of abſolute decrees, yet, being a zealous partizan of epiſcopacy, was inſenſibly ingaged, towards the end of his reign, to favour the milder theology of Arminius. Even in ſo great a doctor, the genius of the religion prevailed over its ſpeculative tenets; and with him, the whole clergy gradually dropped the more rigid principles of abſolute reprobation and unconditional decrees. Some noiſe was, at firſt, made about theſe innovations; but being drowned in the fury of factions and civil wars which ſucceeded, the ſcholaſtic arguments made an inſignificant figure amidſt thoſe violent diſputes about civil and eccleſiaſtical power, with which the nation was agitated. And upon the reſtoration, the church, tho' ſhe ſtill retained her old ſubſcriptions and articles of faith, was found to have totally changed her ſpeculative doctrines, and to have embraced tenets more ſuitable to the genius of her diſcipline and worſhip, without its being poſſible to aſſign the preciſe period, in which the alteration was produced.

It may be worth obſerving, that, about this time, James, from his great deſire to promote controverſial divinity, erected a college at Chelſea for the entertainment of twenty perſons, who ſhould be entirely employed in refuting the papiſts

† K. James's Works, p. 355.

and

Chap. II. 1611. and puritans †. All the efforts of the great Bacon could not procure an eſtabliſhment for the cultivation of natural philoſophy: Even to this day, no ſociety has been inſtituted for the poliſhing and fixing our language. The only encouragement, which the ſovereign in England has ever given to any thing, that has the appearance of ſcience, was this ſhort-lived eſtabliſhment of James; an inſtitution quite ſuperfluous, conſidering the unhappy propenſion, which, at that time, ſo univerſally poſſeſſed the nation for polemical divinity.

1612. To conſider James in a more advantageous light, we muſt take a view of him as the legiſlator of Ireland; and moſt of the inſtitutions, which he had framed for the civilizing that kingdom, being finiſhed about this period, it may not here be improper to give ſome account of them. He frequently boaſts of the management of Ireland as his maſter-piece; and it will appear, upon inquiry, that his vanity, in this particular, was not altogether without foundation.

State of Ireland. AFTER the ſubjection of Ireland by Elizabeth, the more difficult taſk ſtill remained; to civilize the barbarous inhabitants, to reconcile them to laws and induſtry, and to render their ſubjection durable and uſeful to the crown of England. James proceeded in this work by a ſteady, regular, and well concerted plan; and, in the ſpace of nine years, according to Sir John Davis, he made greater advances towards the reformation of that kingdom, than had been made in the 440 years, which had elapſed ſince the conqueſt was firſt attempted ‡.

IT was previouſly neceſſary to aboliſh the Iriſh cuſtoms, which ſupplied the place of laws, and which were calculated to keep that people for ever in a ſtate of barbariſm and diſorder.

BY the *Brehon* law or cuſtom, every crime, however enormous, was puniſhed, not with death, but by a fine or pecuniary mulct, which was levied upon the criminal. Murder itſelf, as among all the antient barbarous nations, was attoned for in this manner; and each man, according to his rank, had a different rate or value affixed to him, which, if any one was willing to pay, he needed not fear the aſſaſſinating his enemy. This rate was called his *eric*. When Sir William Fitzwilliams, being Lord deputy, told Maguire, that he was to ſend a ſheriff into Fermannah, which, a little before, had been made a county, and ſubjected to the Engliſh law; *Your ſheriff*, ſaid Maguire, *ſhall be welcome to me: But, let me know, before-hand, his* eric, *or the price of his head; that, if my people cut it off, I may levy the money upon the county* ‖. As for oppreſſion, extortion, and other treſpaſſes, ſo little were they regarded, that no penalty was affixed to them, and no redreſs for ſuch offences could ever be obtained.

† Kennet, p. 685. Camden's Britt. vol. i. p. 370. Gibſon's edit. ‡ P. 259. edit. 1613.
‖ Sir John Davis, p. 166.

THE

THE cuſtoms of *Gavelkinde* and *Taniſtry* were attended with the ſame abſurdity in the diſtribution of property. Upon the death of any perſon, his land, by the cuſtom of Gavelkinde, was divided among all the males of the ſept or family, both baſtard and legitimate: And, after partition made, if any of the ſept died, his portion was not ſhared out among his ſons; but the chieftain, at his diſcretion, made a new partition of all the lands, belonging to that ſept, and gave every one his ſhare *. As no man, by reaſon of this cuſtom, enjoyed the fixed property of any land; to build, to plant, to incloſe, to cultivate, to improve, would have been ſo much loſt labour. Chap. II. 1612.

THE chieftains and the Taniſts, tho' drawn from the principal families, were not hereditary, but were eſtabliſhed by election, or more properly ſpeaking, by force and violence. Their authority was abſolute; and, notwithſtanding that certain lands were aſſigned to the office, its chief profit reſulted from exactions, dues, aſſeſſments, for which there was no fixed law, and which were levied at pleaſure †. Hence aroſe that common bye-word among the Iriſh, *That they dwelt weſtward of the law, which dwelt beyond the river of the Barrow:* Meaning the country, where the Engliſh inhabited, and which extended not beyond the compaſs of twenty miles, lying in the neighbourhood of Dublin ‡.

AFTER aboliſhing theſe Iriſh cuſtoms, and ſubſtituting Engliſh law in their place; James, having taken all the natives under his protection, and declared them free citizens, proceeded to govern them by a regular adminiſtration, military as well as civil.

A ſufficient army was maintained, its diſcipline inſpected, and its pay tranſmitted from England, in order to keep the ſoldiers from preying upon the country, as had been uſual in former reigns. When Odoghartie raiſed an inſurrection, a reinforcement was ſent over, and the flames of that rebellion were immediately extinguiſhed.

ALL minds being firſt quieted by an univerſal indemnity ‖; circuits were eſtabliſhed, juſtice adminiſtred, oppreſſion baniſhed, and crimes and diſorders of every kind ſeverely puniſhed §. As the Iriſh had been univerſally engaged in the rebellion againſt Elizabeth, a reſignation of all the rights, which had been formerly granted them to ſeparate juriſdictions, was rigorouſly exacted; and no authority, but that of the King and the law, was permitted throughout the kingdom ¶.

A reſignation of all private eſtates was even required; and when they were reſtored, the proprietors received them under ſuch conditions as might prevent, for the future, all tyranny and oppreſſion over the common people. The value of the

* Sir John Davis, p. 167. † Id. p. 173. ‡ Id. p 237. ‖ Id. p. 263.
§ Id. p. 264, 265, &c. ¶ Id. p. 276.

 dues,

Chap. II. 1612.

dues, which the nobles uſually claimed from their vaſſals, was eſtimated at a fixed ſum, and all further arbitrary exactions prohibited under ſevere penalties *.

THE whole province of Ulſter having fallen to the crown by the attainder of rebels, a company was eſtabliſhed in London, for planting new colonies in that fertile country: The property was divided into moderate ſhares, the largeſt not exceeding 2000 acres: Tenants were brought over from England and Scotland: The Iriſh were removed from the hills and faſtneſſes, and ſettled in the open country: Huſbandry and the arts were taught them: A fixed habitation ſecured: Plunder and robbery puniſhed: And, by theſe means, Ulſter, from being the moſt wild and diſorderly province of all Ireland, ſoon became the beſt cultivated and moſt civilized †.

SUCH were the arts, by which James introduced humanity and juſtice among a people, who had ever been buried in the moſt profound barbariſm. Noble cares! much ſuperior to the vain and criminal glory of conqueſts; but requiring ages of perſeverance and attention to perfect what had been ſo happily begun.

A laudable act of juſtice was, about this time, executed in England upon Lord Sanquhir, a Scots nobleman, who had been guilty of a baſe aſſaſſination upon Turner, a fencing-maſter. The Engliſh nation, who were generally diſſatisfied with the Scots, were enraged at this crime, equally mean and atrocious; but James appeaſed them, by preferring the ſeverity of law to the interceſſion of the friends and family of the criminal ‡.

CHAP. III.

Death of Prince Henry.——Marriage of the Princeſs Elizabeth with the Palatine.——Riſe of Somerſet.——His marriage.——Overbury poiſoned.——Fall of Somerſet.——Riſe of Buckingham.——Cautionary towns delivered.——Affairs of Scotland.

November 6. Death of Prince Henry.

THIS year the ſudden death of Henry, Prince of Wales, diffuſed an univerſal grief thro' the nation. Tho' youth and royal birth, both of them ſtrong allurements, prepoſſeſs men mightily in favour of the early age of all princes; 'tis with peculiar fondneſs, that hiſtorians mention Henry: And in every reſpect, his merit ſeems to have been extraordinary. He had not reached his eighteenth year, and he poſſeſſed already more dignity in his behaviour, and commanded

* Sir John Davis, p. 278. † Id. p. 280. ‡ Kennet, p. 688.

more

more reſpect, than his father with all his age, learning, and experience. Neither his high fortune, nor his youth, had ſeduced him into any irregular pleaſures: Buſineſs and ambition ſeem to have been his ſole paſſion. His inclination, as well as exerciſes, were entirely martial. The French ambaſſador, coming to take leave of him, and aſk his commands for France, found him employed in the exerciſe of the pike; *Tell your King*, ſaid he, *in what occupation you left me engaged* *. He had conceived great affection and eſteem for the brave Sir Walter Raleigh. It was his ſaying, *Sure no King but my father would keep ſuch a bird in a cage* †. He ſeems, indeed, to have nouriſhed too violent a contempt for the King, on account of his pedantry and puſillanimity; and by that means, ſtruck in with the reſtleſs and martial ſpirit of the Engliſh nation. Had he lived, he had probably promoted the glory, perhaps not the felicity, of his people. The unhappy prepoſſeſſion, which men commonly entertain in favour of ambition, courage, enterprize, and other warlike virtues, engages generous natures, who always love fame, into ſuch purſuits, as deſtroy their own peace, and that of the reſt of mankind. Chap. III. 1612.

VIOLENT reports were propagated, as if Henry had been carried off by poiſon; but the phyſicians, on opening his body, found no ſymptoms to confirm ſuch an opinion ‡. The bold and criminal malignity of mens tongues and pens ſpared not even the King on that occaſion. But that prince's character ſeems to have failed rather in the extreme of facility and humanity, than in that of cruelty and violence. His indulgence to Henry was great, and perhaps imprudent, by giving him a very large and independant ſettlement, even in ſo early youth.

THE marriage of the Princeſs, Elizabeth, with Frederic, the Elector Palatine, was finiſhed ſome time after the death of the Prince, and ſerved to diſſipate the grief, which aroſe on that melancholy event. But this marriage, tho' celebrated with great joy and feſtivity, proved, itſelf, a very unhappy event to the King, as well as to his ſon-in-law, and had ill conſequences on the reputation and fortunes of both. The Elector, truſting to ſo great an alliance, engaged in enterprizes beyond his ſtrength: And the King, not being able to ſupport him in his diſtreſs, loſt entirely, in the end of his life, what remained of the affections and eſteem of his own ſubjects. 1613. February 14. Marriage of the Princeſs Elizabeth with the Palatine.

EXCEPT during ſeſſions of parliament, the hiſtory of this reign may more properly be called the hiſtory of the court than that of the nation. A moſt intereſting object had, for ſome years, engaged the attention of the court: It was a favourite, and one beloved by James with ſo profuſe and unlimited an affection, Riſe of Somerſet.

* The French monarch had given particular orders to his miniſters to cultivate the Prince's friendſhip; who muſt ſoon, ſaid he, have chief authority in England, where the King and Queen are held in ſo little eſtimation. See *Dep. de la Boderie.*

† Coke's Detection, p. 37. ‡ Kennet, p. 690. Coke, p. 37. Welwood, p. 272.

Chap. III. 1613.

as left no room for any rival or competitor. About the end of the year 1609, Robert Carre, a youth of twenty years of age, and of a good family in Scotland, arrived in London, after having paſſed ſome time in his travels. All his natural accompliſhments conſiſted in good looks: All his acquired abilities, in an eaſy air and graceful demeanour. He had letters of recommendation to his countryman lord Hay; and that nobleman no ſooner caſt his eye upon him, than he diſcovered talents, ſufficient to entitle him immediately to make a great figure in the government. Apprized of the King's paſſion for youth, and beauty, and exterior appearance, he ſtudied how matters might be ſo adjuſted, that this new object ſhould make the ſtrongeſt impreſſion upon him. Without mentioning him at court, he aſſigned him the office, at a match of tilting, of preſenting to the King his buckler and device; and hoped that he would attract the attention of that monarch. Fortune proved favourable to his deſign, by an incident, which bore, at firſt, a contrary aſpect. When Carre was advancing to execute his office, his unruly horſe flung him, and broke his leg in the King's preſence. James approached him with pity and concern: Love and affection aroſe on the ſight of his beauty and tender years; and the Prince ordered him immediately to be lodged in the palace, and to be carefully attended. He himſelf, after the tilting, paid him a viſit in his chamber, and returned frequently during his confinement. The ignorance and ſimplicity of the boy finiſhed the conqueſt, begun by his exterior graces and accompliſhments. Other princes have been fond of chuſing their favourites from among the lower ranks of their ſubjects, and have repoſed themſelves on them with the more unreſerved confidence and affection, that the object has been beholden to their bounty for every honour and acquiſition: James was deſirous, that his favourite ſhould alſo derive from him all his ſenſe, experience, and knowlege. Highly conceited of his own wiſdom, he pleaſed himſelf with the fancy, that this raw youth, by his leſſons and inſtructions, would, in a little time, be equal to his ſageſt miniſters, and be initiated into all the profound myſteries of government, on which he ſet ſo high a value. And as this kind of creation was more perfectly his own work than any other, he ſeems to have indulged an unlimited fondneſs for his minion, beyond even that which he bore to his own children. He ſoon knighted him, created him viſcount Rocheſter, gave him the garter, brought him into the privy council, and, and tho' at firſt without aſſigning him any particular office, beſtowed on him the ſupreme direction of all his buſineſs and political concerns. Agreeable to this rapid advancement in confidence and honour, were the riches heaped upon the needy favourite; and while Saliſbury and all the wiſeſt miniſters could ſcarce find expedients ſufficient to keep in motion the over-burthened machine of government, James, with unſparing hand, loaded with treaſures this inſignificant and uſeleſs pageant †.

† Kennet, p. 685, 6, 6, &c.

IT

It is ſaid, that the King found his pupil ſo ill educated, as to be ignorant even of the loweſt rudiments of the Latin tongue; and that the monarch, laying aſide the ſceptre, took the birch into his royal hand, and inſtructed him in the principles of grammar. During the intervals of this noble occupation, affairs of ſtate would be introduced; and the ſtripling, by the aſcendant which he had acquired, was now enabled to repay in political, what he had received in grammatical inſtruction. Such ſcenes, and ſuch incidents, are the more ridiculous, tho' the leſs odious, that the paſſion of James ſeems not to have contained in it any thing criminal or flagitious. Hiſtory charges herſelf willingly with a relation of the great crimes, or the great virtues of mankind; but ſhe appears to fall from her dignity, when neceſſitated to dwell on ſuch frivolous events and ignoble perſonages.

The favourite was not, at firſt, ſo intoxicated with advancement, as not to be ſenſible of his own ignorance and inexperience. He had recourſe to the aſſiſtance and advice of a friend; and he was more fortunate in his choice, than is uſual with ſuch pampered minions. In Sir Thomas Overbury he met with a judicious and ſincere counſellor, who, building all hopes of his own preferment on that of the young favourite, endeavoured to inſtil into him the principles of prudence and diſcretion. By zealouſly ſerving every body, Carre was taught to abate the envy, which might attend his ſudden elevation: By ſhowing a preference for the Engliſh, he learned to eſcape the prejudices, which prevailed againſt his country. And ſo long as he was contented to be ruled by Overbury's friendly counſels, he enjoyed, what is rare, the higheſt favour of the Prince, without being hated by the people.

To compleat the meaſure of courtly happineſs, nought was wanting but a kind miſtreſs; and, where high fortune concurred with all the graces of youth and beauty, this circumſtance could not be difficult to attain. But it was here that the favourite met with that rock, on which all his fortunes were wrecked, and which plunged him for ever into an abyſs of infamy, guilt, and miſery.

No ſooner had James mounted the throne of England, than he remembered his friendſhip for the unfortunate families of Howard and Devereux, who had ſuffered for their attachment to the cauſe of Mary and to his own. Having reſtored young Eſſex to his blood and dignity, and conferred the titles of Suffolk and Northampton on two brothers of the houſe of Norfolk, he ſought the farther pleaſure of uniting theſe families by the marriage of the Earl of Eſſex with Lady Frances Howard, daughter to the Earl of Suffolk. She was only thirteen, he fourteen years of age; and it was thought proper, till both ſhould attain the age of puberty, that he ſhould go abroad, and paſs ſome time in his travels †.

† Kennet, p. 686.

Chap. III. 1613. He returned into England after four years abſence, and was pleaſed to find his Counteſs in the full luſtre of beauty, and poſſeſſed of the love and admiration of the whole court. But, when the Earl approached, and claimed the privileges of a huſband, he met with nothing but ſymptoms of averſion and diſguſt, and a flat refuſal of any farther familiarities. He applied to her parents, who conſtrained her to attend him into the country, and to partake of his bed: But nothing could overcome her rigid ſullenneſs and obſtinacy; and ſhe ſtill roſe from his ſide, without having ſhared the nuptial pleaſures. Diſguſted with re-iterated denials, he at laſt gave over the purſuit, and ſeparating himſelf from her, thenceforth abandoned her conduct to her own will and diſcretion.

SUCH coldneſs and averſion in Lady Eſſex aroſe not without an attachment to another object. The favourite had opened his addreſſes, and had been too ſucceſsful in making impreſſion on the tender heart of the young Counteſs *. She imagined, that ſo long as ſhe refuſed the embraces of Eſſex, ſhe never could be deemed his wife, and that a ſeparation and divorce might ſtill open the way for a new marriage with her beloved Rocheſter †. Tho' their paſſion was ſo violent, and their opportunities of intercourſe ſo frequent, that they had already indulged themſelves in all the gratifications of love, they ſtill lamented their unhappy fate, while the union between them was not intire and indiſſoluble. And the lover, as well as his miſtreſs, was impatient, till their mutual ardour ſhould be crowned with marriage.

So momentous an affair could not be concluded without conſulting Overbury, with whom Rocheſter was accuſtomed to ſhare all his ſecrets. While that faithful friend had conſidered his patron's attachment to the Counteſs of Eſſex merely as an affair of gallantry, he had favoured its progreſs; and it was partly owing to the ingenious and paſſionate letters, which he dictated, that Rocheſter had met with ſuch ſucceſs in his addreſſes. Like an experienced courtier, he thought, that a conqueſt of this nature would throw a luſtre on the youthful favourite, and would tend ſtill further to endear him to James, who was charmed to hear of the amours of his court, and liſtened with attention to every tale of gallantry. But great was Overbury's alarm, when Rocheſter mentioned his deſign of marrying the Counteſs; and he uſed every method to diſſuade his friend from ſo fooliſh an attempt. He repreſented, how invidious, how difficult an enterprize it was to procure her a divorce from her huſband: How dangerous, how ſhameful, to take into his own bed a profligate woman, who being married to a young nobleman of the firſt rank, had not ſcrupled to proſtitute her character, and to beſtow favours on the object of a capricious and momentary paſſion. And, in the zeal of friendſhip, he went ſo far as to threaten Rocheſter, that he would ſeparate himſelf for ever from

* Kennet, p. 687. † State Trials, vol. i. p. 228.

him

him, if he could ſo far forget his honour and his intereſt as to proſecute the intended marriage *. Chap. III. 1613.

ROCHESTER had the weakneſs to reveal this converſation to the Counteſs of Eſſex; and when her rage and fury broke out againſt Overbury, he had alſo the weakneſs to enter into her vindictive projects, and to ſwear vengeance againſt his friend, for the utmoſt inſtance, which he could receive, of his faithful friendſhip. Some contrivance was neceſſary for the execution of their purpoſe. Rocheſter addreſſed himſelf to the King; and after complaining, that his own indulgence to Overbury had begot in him a degree of arrogance, which was extremely diſagreeable, he procured a commiſſion for his embaſſy to Ruſſia; which he repreſented as a retreat for his friend, both profitable and honourable. When conſulted by Overbury, he earneſtly diſſuaded him from accepting this offer, and took on himſelf the taſk of ſatisfying the King, if he ſhould be any way diſpleaſed with the refuſal †. To the King again, he aggravated the inſolence of Overbury's conduct, and obtained a warrant for committing him to the Tower, which James intended as a ſlight puniſhment for his diſobedience. The lieutenant of the Tower was a creature of Rocheſter's, and had lately been put into the office for this very purpoſe: He confined Overbury ſo ſtrictly, that the unhappy priſoner was debarred from the ſight even of his neareſt relations; and no communication of any kind was allowed with him, during near ſix months, which he lived in priſon. 21ſt of April.

THIS obſtacle being removed, the lovers purſued their purpoſe; and the King himſelf, forgetting the dignity of his character, and his friendſhip for the family of Eſſex, entered zealouſly into the project of procuring the Counteſs a divorce from her huſband. Eſſex alſo embraced the opportunity of ſeparating himſelf from a bad woman, by whom he was hated; and he was willing to favour their ſucceſs by any honourable expedient. The pretence for a divorce was his incapacity to fulfil the conjugal duties; and he confeſſed, that, with regard to the Counteſs, he was conſcious of ſuch an infirmity, tho' he was not ſenſible of it with regard to any other woman. In her place too, it is ſaid, a young virgin was ſubſtituted under a maſk, to undergo the legal inſpection by a jury of matrons. After ſuch a trial, ſeconded by court-influence, and ſupported by the ridiculous opinion of faſcination or witchcraft, the ſentence of divorce was pronounced between the Earl of Eſſex and his Counteſs ‡. And, to crown the ſcene, the King, ſolicitous leſt the lady ſhould loſe any rank by her new marriage, beſtowed on his minion the title of Earl of Somerſet.

NOTWITHSTANDING this ſucceſs, the Counteſs of Somerſet was not ſatisfied, till ſhe ſhould further ſatiate her revenge on Overbury; and ſhe engaged her huſband, as well as her uncle, the Earl of Northampton, in the atrocious deſign of

* State Trials, vol. i. p. 235, 236, 252. Franklyn, p. 14. † State Trials, vol. i. p. 236, 237, &c. ‡ Id. p. 223, 224, &c. Franklyn's Annals, p. 2, 3, &c.

taking

Chap. III. 1613. Overbury poiſoned. 16th of Sept.

taking him off ſecretly by poiſon. Fruitleſs attempts were re-iterated by weak poiſons; but, at laſt, they gave him one ſo ſudden and violent, that the ſymptoms were apparent to every one, who approached him *. His interment was hurried on with the greateſt precipitation; and, tho' a ſtrong ſuſpicion immediately prevailed in the public, the full proof of the crime was not brought to light, till ſome years after.

THE fatal cataſtrophe of Overbury increaſed or begot the ſuſpicion, that the Prince of Wales had been carried off by poiſon, given him by Somerſet. Men conſidered not, that the contrary inference was much juſter. If Somerſet was ſo great a novice in this deteſtable art, that, during the courſe of five months, a man, who was his priſoner, and attended by none but his emiſſaries, could not be diſpatched but in ſo bungling a manner; how could it be imagined, that a young prince, living in his own court, ſurrounded by his own friends and domeſtics, could be expoſed to Somerſet's attempts, and be taken off by ſo ſubtle a poiſon, if ſuch a one exiſt, as ſhould elude the ſkill of the moſt experienced phyſicians?

THE ableſt miniſter whom James ever poſſeſſed, the Earl of Saliſbury, was dead †: Suffolk, a man of ſlender capacity, had ſucceeded him in his office: And it was now his taſk to ſupply, from an exhauſted treaſury, the profuſion of James and of his young favourite. The title of baronet, invented by Saliſbury, was ſold; and two hundred patents of that ſpecies of knighthood were diſpoſed of for ſo many thouſand pounds: Each rank of nobility had alſo its price affixed to it ‡: Privy ſeals were circulated to the value of 200,000 pounds: Benevolences were exacted to the amount of 52,000 pounds ‖: And ſome monopolies, of no great value, were erected. But all theſe expedients proved inſufficient to ſupply the King's neceſſities; even tho' he began to enter into ſome ſchemes for retrenching his expences §. However ſmall the hopes of ſucceſs, a new parliament muſt be ſummoned, and this dangerous expedient, for ſuch it was now become, once more be put to trial.

1614. ¶ 5th of April. A parliament.

WHEN the commons were aſſembled, they diſcovered an extraordinary alarm, on account of the rumour, which was ſpread abroad concerning *undertakers* ¶. It was reported, that ſeveral perſons, attached to the King, had entered into a confederacy; and having laid a regular plan for the new elections, had diſtributed their intereſts all over England, and had undertaken to ſecure a majority for the court. So ignorant were the commons, that they knew not this incident to be

* Kennet, p. 693. State Trials, vol. i. p. 233, 234, &c. † 14th May, 1612.
‡ Franklyn, p. 11. 33. ‖ Id. p. 10. § Id. p. 49. ¶ Parliam. Hiſtory, vol. v. p. 285. Kennet, p. 696. Journ. 14th April, 2d May, 1614, &c. Franklyn, p. 48.

the

the firſt infallible ſymptom of any regular or eſtabliſhed liberty. Had they been contented to follow the maxims of their predeceſſors, who, as the Earl of Saliſbury ſaid to the laſt parliament, never, but thrice in ſix hundred years, refuſed a ſupply *; they needed not dread, that the crown ſhould ever intereſt itſelf in their elections. Formerly, the Kings even inſiſted, that none of their houſhold ſhould ever be elected members; and, tho' the charter was afterwards declared void, Henry VI. from his great favour to the city of York, conferred a peculiar privilege on its citizens, that they ſhould be exempted from this trouble †. 'Tis well known, that, in antient times, a ſeat in the houſe being conſidered as a burthen, attended neither with honour nor profit, it was requiſite for the counties and burroughs to pay fees to their repreſentatives. About this time, a ſeat began to be regarded as an honour, and the country-gentlemen contended for it; tho' the practice of levying wages for the parliament-men was not altogether diſcontinued. It was not till long afterwards, when liberty was thoroughly eſtabliſhed, and popular aſſemblies entered into every branch of public buſineſs, and the members began to join profit to honour, and the crown found it neceſſary to diſtribute among them all the conſiderable offices of the kingdom.

So little ſkill or ſo ſmall means had the courtiers, in James's reign, for managing elections, that this houſe of commons ſhowed rather a ſtronger ſpirit of liberty than the foregoing; and inſtead of entering upon the buſineſs of ſupply, as urged by the King, who made them ſeveral liberal offers of grace ‡, they immediately reſumed the ſubject which had been broached laſt parliament, and diſputed his Majeſty's power of levying new cuſtoms and impoſitions, by the mere authority of his prerogative. 'Tis remarkable, that, in their debates on this ſubject, the courtiers frequently pleaded, as a precedent, the example of all the other hereditary monarchs in Europe, and mentioned particularly the Kings of France and Spain: Nor was this reaſoning received by the houſe, either with ſurpriſe or indignation ‖. The members of the oppoſite party, either contented themſelves with denying the juſtneſs of the inference, or they diſputed the truth of the obſervation §. And a patriot-member in particular, Sir Roger Owen, even in arguing againſt the impoſitions, very frankly allowed, that the King of England was endued with as ample power and prerogative as any prince in Chriſtendom ¶. The nations on the continent, we may obſerve, enjoyed ſtill, in that age, ſome ſmall remains of liberty; and the Engliſh were poſſeſſed of little more.

* Journ. 17th Feb. 1609. It appears, however, that Saliſbury was ſomewhat miſtaken in this fact: And if the Kings were not oftener refuſed ſupply by the parliament, it was only becauſe they would not often expoſe themſelves to the hazard of being refuſed: But it is certain, that Engliſh parliaments did antiently carry their frugality to an extreme, and ſeldom could be prevailed on to give the neceſſary ſupport to the government.

† Coke's Inſtitutes, part iv. chap. 1. of charters of exemption.

‡ Journ. 11th April, 1614.

‖ Journ. 21ſt May, 1614.

§ Id. 12th and 21ſt May, 1614.

¶ Journ. 18th April, 1614.

Chap. III. 1614.

THE commons applied to the lords for a conference with regard to the new impoſitions. A ſpeech of Neile, biſhop of Lincoln, reflecting on the lower houſe, begot ſome altercation*; and the King ſeized the opportunity of diſſolving immediately, with great indignation, a parliament, which had ſhewn ſo firm a reſolution of retrenching his prerogative, without communicating, in return, the ſmalleſt ſupply to his neceſſities. He carried his reſentment ſo far as even to throw into priſon ſome of the members, who had been the moſt forward in their oppoſition to his meaſures†. In vain, did he plead, in excuſe for this violence, the example of Elizabeth and other princes of the line of Tudor. The people and the parliament, without abandoning for ever all their liberties and privileges, could acquieſce in none of theſe precedents, however frequent. And were the authority of ſuch precedents admitted, the utmoſt that could be inferred, is that the conſtitution of England was, at that time, an inconſiſtent fabric, whoſe jarring and diſcordant parts muſt ſoon deſtroy each other, and from the diſſolution of the old, beget ſome new form of civil government, more uniform and conſiſtent.

6th of June.

IN the public avowed conduct of the King and the houſe of commons, throughout this whole reign, there appears ſufficient cauſe of quarrel and diſguſt; yet we are not to imagine, that this was the ſole foundation of that jealouſy, which prevailed between them. During debates in the houſe, it often happened, that a particular member, more ardent and zealous than the reſt, would diſplay the higheſt ſentiments of liberty, which the commons contented themſelves to hear with ſilence and ſeeming approbation; and the King, informed of theſe harangues, concluded the whole houſe to be infected with the ſame principles, and to be engaged in a combination againſt his prerogative. The King, on the other hand, tho' he valued himſelf extremely on his king-craft, and was not altogether incapable of diſſimulation, ſeems to have been very little endued with the gift of ſecrecy; but openly, at his table, in all companies, inculcated thoſe monarchical tenets, which he had ſo ſtrongly imbibed. Before a numerous audience, he had expreſſed himſelf with great diſparagement of the common law of England, and had given the preference, in the ſtrongeſt terms, to the civil

* Parl. Hiſt. vol. v. p. 290. So little fixed at this time were the rules of parliament, that the commons complained to the peers of a ſpeech made in the upper houſe by the biſhop of Lincoln, which it belonged only to that houſe to cenſure, and which the other could not regularly be ſuppoſed to be acquainted with. Theſe at leaſt are the rules eſtabliſhed, ſince the parliament became a real ſeat of power, and ſcene of buſineſs. Neither the King muſt take notice of what paſſes in either houſe, nor either houſe of what paſſes in the other, till regularly informed of it. The commons in their famous proteſtation in 1621, fixed this rule with regard to the King, tho' at preſent they would not bind themſelves by it. But as liberty was yet new, theſe maxims, which regard and regulate it, were unknown and unpractiſed.

† Kennet, p. 696.

law: And for this indiſcretion he found himſelf obliged to apologize, in a ſpeech to the former parliament *. As a ſpecimen of his uſual liberty of talk, we may mention a ſtory, tho' it paſſed ſome time afterwards, which we meet with in the life of Waller, and which that poet uſed frequently to repeat. When Waller was young, he had the curioſity to go to court; and he ſtood in the circle, and ſaw James dine; where, among other company, there ſat at table two biſhops, Neile and Andrews. The King propoſed aloud this queſtion, Whether he might not take his ſubjects money, when he needed it, without all this formality of parliament? Neile replied, *God forbid you ſhould not: For you are the breath of our noſtrils.* Andrews declined anſwering, and ſaid, he was not ſkilled in parliamentary caſes: But upon the King's urging him, and ſaying he would admit of no evaſion, the biſhop replied very pleaſantly: *Why then, I think your Majeſty may very lawfully take my brother Neile's money: For he offers it* †. Chap. III. 1614.

THE favourite had hitherto eſcaped the inquiry of juſtice; but he had not eſcaped that ſtill voice, which can make itſelf be heard amidſt all the hurry and flattery of a court, and aſtoniſhes the criminal with a juſt repreſentation of his moſt ſecret enormities. Conſcious of the murder of his friend, Somerſet received ſmall conſolation from the enjoyments of love, or the utmoſt kindneſs and indulgence of his ſovereign. The graces of his youth gradually diſappeared, the gaiety of his manners was obſcured, his politeneſs and obliging behaviour were changed into ſullenneſs and ſilence. And the King, whoſe affections had been engaged by theſe ſuperficial accompliſhments, began to eſtrange himſelf from a man, who no longer contributed to his amuſement. 1615. Somerſet's fall.

THE ſagacious courtiers obſerved the firſt ſymptoms of this diſguſt: Somerſet's enemies ſeized the opportunity, and offered a new minion to the King. George Villiers, a youth of one and twenty, younger brother of a good family, returned at this time from his travels, and was remarked for the advantages of a handſome perſon, genteel air, and faſhionable apparel. At a comedy, he was purpoſely placed full in James's eye, and immediately engaged the attention, and, in the ſame inſtant, the affections of that monarch §. Aſhamed of his ſudden attachment, the King endeavoured, but in vain, to conceal the partiality which he felt for the handſome ſtranger; and he employed all his profound politics to fix him in his ſervice, without ſeeming to deſire it. He declared his reſolution not to confer any office on him, unleſs entreated by the Queen; and he pretended, that it ſhould only be in complaiſance to her choice, he would agree to admit him near his perſon. The Queen was immediately applied to; but ſhe, well knowing the extreme to which the King carried theſe attachments, refuſed, at firſt, to lend

* King James's Works, p. 532. Kennet, vol. ii. p. 698.

† Preface to Waller's Works.

§ Franklyn, p. 30.

Chap. III. 1615.

lend her countenance to this new paſſion. It was not till entreated by Abbot, Archbiſhop of Canterbury, a decent prelate, and one much prejudiced againſt Somerſet, that ſhe would condeſcend to oblige her huſband, by aſking this favour of him *. And the King, thinking now that all appearances were fully ſaved, no longer conſtrained his affection, but immediately beſtowed the office of cup-bearer on young Villiers.

THE whole court were thrown into parties between the two minions; while ſome endeavoured to advance the riſing fortunes of Villiers, and others deemed it ſafer to adhere to the eſtabliſhed credit of Somerſet. The King himſelf, divided between inclination and decorum, increaſed the doubt and ambiguity of the courtiers; and the ſtern jealouſy of the old favourite, who refuſed every advance of friendſhip from his rival, begot perpetual quarrels between their ſeveral partizans. But the diſcovery of Somerſet's guilt in the murder of Overbury, at laſt decided the controverſy, and expoſed him to the ruin and infamy which he ſo well merited.

AN apothecary's 'prentice, who had been employed in making up the poiſons, having retired to Fluſhing, began to talk very freely of the whole ſecret; and the affair at laſt came to the ears of Trumbal, the King's envoy in the Low Countries. By his means, Sir Ralph Winwood, ſecretary of ſtate, was informed; and he carried the intelligence immediately to James. The King, alarmed and aſtoniſhed to find ſuch enormous guilt in a man whom he had admitted into his boſom, ſent for Sir Edward Coke, Lord chief juſtice, and earneſtly recommended to him the moſt rigorous and unbiaſſed ſcrutiny. This injunction was executed with great induſtry and ſeverity: The whole labyrinth of guilt was carefully unravelled: The leſſer criminals, Sir Jervis Elvis, lieutenant of the Tower, Franklin, Weſton, Mrs. Turner, were firſt tried and condemned: Somerſet and his Counteſs were afterwards found guilty: Northampton's death, a little before, had ſaved him from a like fate.

IT may not be unworthy of remark, that Coke, in the trial of Mrs. Turner, told her, that ſhe was guilty of the ſeven deadly ſins: She was a whore, a bawd, a ſorcerer, a witch, a papiſt, a felon, and a murderer †. And what may more ſurprize us, Bacon, then attorney-general, took care to obſerve, that poiſoning was a popiſh trick ‡. Such were the bigotted prejudices which prevailed in this age: Poiſoning was not, of itſelf, ſufficiently odious, if it was not repreſented as a branch of popery. Stowe tells us, that, when the King came to Newcaſtle, on his firſt entry into England, he gave liberty to all the priſoners, except thoſe confined for treaſon, murder, and papiſtry. When one conſiders theſe circumſtances,

* Coke, p. 46, 47. Ruſhw. vol. i. p. 456. † State Trials, vol. i. p. 230. ‡ State Trials, vol. i. p. 242.

that furious bigotry of the catholics, which broke out in the gun-powder conſpiracy, appears the leſs ſurprizing. Chap. III. 1615.

ALL the accomplices in Overbury's murder received the puniſhment due to their crime: But the King beſtowed a pardon on the principals, Somerſet and the Counteſs. It muſt be confeſſed, that James's fortitude had been highly laudable, had he perſiſted in his firſt intention of conſigning over to ſevere juſtice all the criminals: But let us ſtill beware of blaming him too harſhly, if, on the approach of the fatal hour, he ſcrupled to deliver into the hands of the executioner, perſons whom he had once favoured with his moſt tender affections. To ſoften the rigour of their fate, after ſome years impriſonment, he reſtored them to their liberty, and conferred on them a penſion, with which they retired, and languiſhed out old age in infamy and obſcurity. Their guilty loves were turned into the moſt deadly hatred; and they paſſed many years together in the ſame houſe, without any intercourſe or correſpondence with each other *.

SEVERAL hiſtorians †, in relating theſe events, have inſiſted much on the diſſimulation of James's behaviour, when he delivered Somerſet into the hands of the chief juſtice; on the inſolent menaces of that criminal; on his peremptory refuſal to ſtand a trial; and on the extreme anxiety of the King during the whole progreſs of this affair. Allowing all theſe circumſtances to be true, of which ſome are ſuſpicious, if not palpably falſe ‡, the great remains of tenderneſs, which James ſtill felt for Somerſet, may, perhaps, be ſufficient to account for them. That favourite was high-ſpirited; and reſolute rather to periſh than live under the infamy to which he was expoſed. James was ſenſible that the pardoning ſo great a criminal, which was of itſelf invidious, would become ſtill more unpopular, if his obſtinate and ſtubborn behaviour on his trial ſhould augment the public hatred againſt him §. At leaſt, the unreſerved confidence, in which the King had indulged his favourite for ſeveral years, might render Somerſet maſter of ſo many ſecrets, that it is impoſſible, without farther light, to aſſign the particular cauſe of that ſuperiority, which, 'tis ſaid, he appeared ſo much to aſſume.

THE fall of Somerſet, and his baniſhment from court, opened the way for Villiers to mount up at once to the full height of favour, of honours, and of riches. Had James's paſſion been governed by common rules of prudence, the office of cup-bearer would have attached Villiers to his perſon, and might well have contented one of his age and family; nor would any one, who was not cynically auſtere, have much cenſured the ſingularity of the King's taſte in amuſement. But ſuch advancement was far inferior to the fortune which he intended for his favourite. In the courſe of a few years, he created him Viſcount Villiers, Earl, Riſe of Buckingham.

* Kennet, p. 699. † Coke, Welden, &c. ‡ See Biog. Brit. Article COKE, p. 1384.
§ Bacon, vol. iv. p. 617.

Mar-

Chap. III. 1615. Marqueſs, and Duke of Buckingham, knight of the garter, maſter of the horſe, chief juſtice in Eyre, warden of the Cinque ports, maſter of the king's bench office, ſteward of Weſtminſter, conſtable of Windſor, and Lord high admiral of England *. His mother obtained the title of Counteſs of Buckingham: His brother was created Viſcount Purbeck; and a numerous train of needy relations were all puſhed up into credit and authority. And thus the fond Prince, while he meant to play the tutor to his favourite, and to train him up in the rules of prudence and politics, took an infallible method, by loading him with premature and exorbitant honours, to render him, for ever, raſh, precipitant, and inſolent.

1616. A YOUNG minion to gratify with pleaſure, a neceſſitous family to ſupply with riches, were enterprizes too great for the empty exchequer of James. In order to obtain a little money, the cautionary towns muſt be delivered up to the Dutch; a meaſure which has been ſeverely cenſured by almoſt all hiſtorians; and I may venture to affirm, that, tho' it muſt be owned ſomewhat impolitic, it has been cenſured much beyond its real weight and importance.

Cautionary towns delivered.

WHEN Queen Elizabeth advanced money for the ſupport of the infant republic; beſides the view of ſecuring herſelf againſt the exorbitant power and ambition of Spain, ſhe ſtill reſerved the proſpect of re-imburſement; and ſhe got conſigned into her hands the three important fortreſſes of Fluſhing, the Brille, and Rammekins, as pledges for the money which was due to her. Indulgent to the neceſſitous condition of the ſtates, ſhe agreed that the debt ſhould bear no intereſt, and ſhe ſtipulated, that, if ever England made a ſeparate peace with Spain, ſhe ſhould pay the troops which garriſoned thoſe fortreſſes †. It appears from Jeanin's letters, that the ſtates had expected a very conſiderable abatement of the debt, even at a time when James's exchequer was in tolerable order, from the only conſiderable ſupply which his parliament had ever granted him: Much more were they encouraged in this hope by his preſent neceſſitous condition. In this negotiation they employed Caron, their miniſter, who offered the King a little above the third of the money, which was due to him, and which amounted in the whole to 818,408 pounds ‡. It occurred to James, that the pay of the garriſons was ſo burthenſome on his ſlender revenue, that very large arrears were owing them, and they were ready to mutiny for want of ſubſiſtence §; that, ſince the King's acceſſion, above 300,000 pounds had been expended for their ſupport, and there appeared no end of theſe charges; that by the ſtricteſt computation the third of the ſum, paid him preſently, was much preferable to the whole payable ten years after ‖; that the ſtates, truſting to his pacific maxims, as well as the cloſe union of

* Franklyn, p. 30. Clarendon, 8vo. edit. vol. i. p. 10. Winwood, vol. ii. p. 351.

† Rymer, tom. xvi. p. 341.

‡ Winwood, vol. ii. p. 351.

§ Journ. 12th April, 1614.

‖ Money was then at ten *per cent.*

intereſt

intereſt and affection with his people, were nowiſe anxious for the recovery of theſe places, and might allow them to lye long in his hands, if full payment was inſiſted on; that this union was really ſo intimate, that no reaſonable meaſures for mutual ſupport would be wanting from the Dutch, even tho' freed from the dependance of theſe garriſons; that the exchequer of the republic was at preſent very low, inſomuch that they found difficulty, now that the aids of France were withdrawn, to maintain themſelves in that poſture of defence, which was requiſite during the truce with Spain; and that the Spaniards were perpetually inſiſting with the King on the reſtitution of theſe towns as belonging to their crown; and no cordial alliance could ever be made with that nation, while they remained in the hands of the Engliſh *. Theſe reaſons, together with his urgent wants, induced the King to accept of Caron's offer; and he evacuated the cautionary towns, which held the ſtates in total ſubjection, and which an ambitious and enterprizing prince would have regarded as his moſt valuable poſſeſſions. This is the date of the full liberty of the Dutch commonwealth. Chap. III. 1616. 6th of June.

When the crown of England devolved on James, it might have been foreſeen by the Scots nation, that the independance of their kingdom, the object, for which their anceſtors had ſhed ſuch an ocean of blood, would now be utterly loſt; and that, if both ſtates perſevered in maintaining ſeparate laws and parliaments, the weaker would feel more ſenſibly the ſubjection, than if it had been totally ſubdued by force of arms. But theſe views did not generally occur. The glory of having given a ſovereign to their powerful enemy, the advantages of preſent peace and tranquillity, the riches acquired from the munificence of their maſter; theſe conſiderations ſecured their dutiful obedience to a Prince, who daily gave ſuch ſenſible proofs of his friendſhip and partiality towards them. Never had the authority of any king, who reſided among them, been ſo firmly eſtabliſhed as was that of James, even when abſent; and as the adminiſtration had been hitherto conducted with great order and tranquillity, there had happened no occurrence to draw thither our attention. But this ſummer, the King was reſolved to pay a viſit to his native country, in order to renew his antient friendſhips and connections, and to introduce that change of eccleſiaſtical diſcipline and government, on which his mind was extremely bent. The three chief points, which the King propoſed to accompliſh by his journey to Scotland, were the enlarging epiſcopal authority, the eſtabliſhing a few ceremonies in public worſhip, and the fixing a ſuperiority of the civil above the eccleſiaſtical juriſdiction. 1617. Affairs of Scotland. May.

But 'tis an obſervation, ſuggeſted by all hiſtory, and by none more than by that of James, and his ſucceſſor, that the religious ſpirit, when it mingles with faction, contains in it ſomething ſupernatural and unaccountable; and that, in its

* Ruſhworth, vol. i. p. 3.

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operations upon ſociety, effects correſpond leſs to their known cauſes than is found in any other circumſtance of government. A reflection, which may, at once, afford a ſource of blame againſt ſuch ſovereigns as lightly innovate in ſo dangerous an article, and of apology for ſuch, as being engaged in an enterprize of that nature, are diſappointed of the expected event, and fail in their undertakings.

When the Scottiſh nation were firſt ſeized with that zeal for reformation, which, tho' it cauſed ſuch diſturbance during the time, has ſince proved ſo ſalutary in the conſequences; the preachers, aſſuming to themſelves a character, little inferior to the prophetic or apoſtolical, diſdained all ſubjection to the ſpiritual rulers of the church, by whom their innovations were puniſhed and oppoſed. The revenues of the dignified clergy, no longer conſidered as ſacred, were either appropriated by the preſent poſſeſſors, or ſeized by the more powerful barons; and what remained, after mighty dilapidations, was, by act of parliament, annexed to the crown. The prelates, however, and abbots, maintained their temporal juriſdictions and their ſeats in parliament; and, tho' laymen were ſometimes endowed with eccleſiaſtical titles, the church, notwithſtanding its frequent proteſtations to the contrary, was ſtill ſuppoſed to be repreſented by thoſe ſpiritual lords, in the ſtates of the kingdom. After many ſtruggles, the King, even before his acceſſion to the throne of England, had acquired ſufficient influence over the Scots clergy, to extort from them an acknowledgement of the parliamentary juriſdiction of biſhops; tho' attended with many precautions, in order to ſecure themſelves againſt the ſpiritual encroachments of that order †. When King of England, he engaged them, tho' ſtill with great reluctance on their part, to advance a ſtep farther, and to receive the biſhops as perpetual preſidents or moderators in their eccleſiaſtical ſynods; re iterating their proteſtations againſt all ſpiritual juriſdiction of the prelates, and all controuling power over the preſbyters ‡. And by ſuch gradual innovations, the King flattered himſelf, that he would quietly introduce epiſcopal authority: But as his final ſcope was fully ſeen from the beginning, every new advance gave freſh occaſion of diſcontent, and aggravated, inſtead of ſoftening, the abhorrence, entertained againſt the prelacy.

What rendered the King's aim more apparent, were the endeavours, which, at the ſame time, he uſed to introduce into Scotland ſome of the ceremonies of the church of England: The reſt, it was eaſily foreſeen, would ſoon follow. The fire of devotion, excited by novelty, and inflamed by oppoſition, had ſo poſſeſſed the minds of the Scots reformers, that all rites and ornaments, and even order of worſhip, were diſdainfully rejected as uſeleſs burthens; retarding the imagination in its rapturous extaſies, and cramping the operations of that divine ſpirit, by which they ſuppoſed themſelves to be animated. A mode of worſhip was eſtabliſhed, the moſt naked and moſt ſimple imaginable; one that borrowed nothing

† 1598. ‡ 1606.

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from the ſenſes; but repoſed itſelf intirely on the contemplation of that divine eſſence, which diſcovers itſelf to the underſtanding only. This ſpecies of devotion, ſo worthy of the ſupreme Being, but ſo little ſuitable to human frailty, was obſerved to occaſion great diſturbances in the breaſt, and in many reſpects to confound all rational principles of conduct and behaviour. The mind, ſtraining for theſe extraordinary raptures, reaching them by ſhort glances, ſinking again under its own weakneſs, rejecting all exterior aid of pomp and ceremony, was ſo occupied in this inward life, that it fled from every intercourſe of ſociety, and from every ſweet or chearful amuſement, which could ſoften or humanize the character. It was obvious to all diſcerning eyes, and had not eſcaped the King's, that by the prevalence of fanaticiſm, a gloomy and ſullen diſpoſition eſtabliſhed itſelf among the people; a ſpirit, obſtinate and dangerous; independent and diſorderly; animated equally with a contempt of authority, and a hatred to every other mode of religion, particularly to the catholic. In order to mellow theſe humours, James endeavoured to infuſe a ſmall tincture of ceremony into the national worſhip, and to introduce ſuch rites as might, in ſome degree, occupy the mind, and pleaſe the ſenſes, without departing too far from that ſimplicity, by which the reformation was diſtinguiſhed. The finer arts too, tho' ſtill rude in theſe northern kingdoms, were employed to adorn the churches; and the King's chappel, in which an organ was erected, and ſome pictures and ſtatues diſplayed, was propoſed as a model to the reſt of the nation. But muſic was grating to the prejudiced ears of the Scots clergy; ſculpture and painting appeared inſtruments of idolatry; the ſurplice was a rag of popery; and each motion or geſture, preſcribed by the liturgy, was a ſtep towards that ſpiritual Babylon, ſo much the object of their horror and averſion. Every thing was deemed impious, but their own myſtical comments on the ſcriptures, which they idolized, and whoſe eaſtern prophetic ſtyle they employed in every common occurrence of life.

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It will not be neceſſary to give a particular account of the ceremonies, which the King was ſo intent to eſtabliſh. Such inſtitutions, for a time, are eſteemed, either too divine to have proceeded from any other being than the ſupreme Creator of the univerſe, or too diabolical to have been derived from other than an infernal demon. But no ſooner is the mode or the controverſy paſt, than they are univerſally diſcovered to be of ſo little importance as ſcarce to be mentioned with dignity amidſt the ordinary courſe of human tranſactions. It is here ſufficient to remark, that the rites introduced by James regarded the kneeling at the ſacrament, private communion, private baptiſm, confirmation of children, and the obſervance of Chriſtmas and other feſtivals †. Theſe ceremonies were afterwards known by the name of the articles of Perth, from the place where they were ratified by the aſſembly.

† Franklyn, p. 65. Spotſwood.

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A conformity of diſcipline and worſhip between the churches of England and Scotland, which was James's aim, he never could hope to eſtabliſh, but by firſt procuring an acknowlegement of his own authority in all eccleſiaſtical cauſes; and nothing could be more contrary to the practice as well as principles of the preſbyterian clergy. The eccleſiaſtical courts poſſeſſed the power of denouncing excommunication; and that ſentence, beſides the ſpiritual conſequences ſuppoſed to follow from it, was attended with immediate effects of the moſt important nature. The perſon excommunicated was ſhunned by every one as profane and impious; and his whole eſtate, during his life-time, and all his moveables, for ever, were forfeited to the crown. Nor were the previous ſteps, requiſite before inflicting this ſentence, formal or regular, in proportion to the weight of it. Without accuſer, without ſummons, without trial, any eccleſiaſtical court, however inferior, ſometimes pretended, in a ſummary manner, to pronounce a ſentence of excommunication, for any cauſe, and againſt any perſon, even tho' he lived not within the bounds of their juriſdiction *. And, by this means, the whole tyranny of the inquiſition, tho' without its order, was introduced into the kingdom.

But the clergy contented not themſelves with the unlimited juriſdiction, which they exerciſed in eccleſiaſtical matters: They aſſumed a cenſorial power over every part of adminiſtration; and, in all their ſermons, and even prayers, mingling politics with religion, they inculcated the moſt ſeditious and moſt turbulent principles. Black, miniſter of St. Andrews, went ſo far †, in a ſermon, as to pronounce all Kings the devil's children; he gave the Queen of England the appellation of atheiſt; he ſaid, that the treachery of the King's heart was now fully diſcovered; and in his prayers for the Queen he uſed theſe words; *We muſt pray for her for the faſhion's ſake, but we have no cauſe: She will never do us any good.* When ſummoned before the privy council, he refuſed to anſwer to a civil court for any thing delivered from the pulpit, even tho' the crime, of which he was accuſed, was of a civil nature. The church adopted his cauſe. They raiſed a ſedition in Edinburgh ‡. The King, during ſome time, was in the hands of the enraged populace; and it was not without courage, as well as dexterity, that he was able to extricate himſelf ‖. A few days after, a miniſter, preaching in the principal church of that capital, ſaid, that the King was poſſeſſed with a devil; and, that one devil being expelled, ſeven worſe had entered in his place §. To which he added, that the ſubjects might lawfully riſe, and take the ſword out of his hand. Scarce, even during the darkeſt night of papal ſuperſtition, are there found ſuch inſtances of prieſtly encroachments, as the annals of Scotland preſent to us during that period.

By theſe extravagant ſtretches of power, and by the patient conduct of James, the church began to loſe ground, even before the King's acceſſion to the throne of

* Spotſwood. † 1596. ‡ 17th Dec. 1596. ‖ Spotſwood. § Id.

England;

England: But no ſooner had that event taken place, than he made the Scots clergy ſenſible that he was become the ſovereign of a great kingdom, which he governed with great authority. Tho' formerly he would have thought himſelf happy to have made a fair partition with them of the civil and eccleſiaſtical authority, he was now reſolved to exert a ſupreme juriſdiction in church as well as ſtate, and to put an end to their ſeditious practices. An aſſembly had been ſummoned at Aberdeen *; but, on account of his journey to London, he prorogued it to the year following. Some of the clergy, diſavowing his eccleſiaſtical ſupremacy, met at the time firſt appointed, notwithſtanding his prohibition. He threw them into priſon. Such of them as ſubmitted, and acknowleged their error, he pardoned. The reſt he brought to their trial. They were condemned for high treaſon. He gave them their lives; but baniſhed them the kingdom. Six of them ſuffered this penalty †. Chap. III. 1617.

The general aſſembly was afterwards induced ‡ to acknowlege the King's authority in ſummoning eccleſiaſtical courts, and to ſubmit to the juriſdiction and viſitation of the biſhops. Even their favourite ſentence of excommunication was declared invalid, unleſs confirmed by the ordinary. The King recommended to the preſbyteries the members, whom they ſhould elect to this aſſembly; and every thing was conducted in it with little appearance of choice and liberty ||.

By his own prerogative likewiſe, which he ſeems to have ſtretched on this occaſion, the King erected a court of high commiſſion §, in imitation of that eſtabliſhed in England. The biſhops and a few of the clergy, who had been ſummoned together, willingly acknowleged this court; and it proceeded immediately upon buſineſs, as if its authority had been grounded on the full conſent of the whole legiſlature.

But James reſerved the final blow for the time when he ſhould himſelf pay a viſit to Scotland. He propoſed to the parliament, which was then aſſembled, that they ſhould enact, that, "whatever his Majeſty ſhould determine in the external government of the church, with the conſent of the archbiſhops, biſhops, and a competent number of the miniſtry, ſhould have the force of a law ¶." What number ſhould be deemed competent was not determined: And their nomination was left entirely to the King: So that his eccleſiaſtical authority, had this bill paſſed, would have been eſtabliſhed in its full extent. Some of the clergy proteſted. They apprehended, they ſaid, that the purity of their church, would, by means of this new authority, be polluted with all the rites and liturgy of the church of England. James, dreading clamour and oppoſition, dropped the act, which had already paſſed the lords of articles; and aſſerted, that 13th of June.

* July, 1604. † Spotſwood. ‡ 6th of June, 1610. || Spotſwood.
§ 15th of Feb. 1610. ¶ Spotſwood. Franklyn, p. 29.

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the inherent prerogative of the crown contained more power than was recognized by this bill. Some time after, he called, at St. Andrews, a meeting of the biſhops and thirty-ſix of the moſt eminent clergy. He there declared his reſolution of exerting his prerogative, and of eſtabliſhing, by his own authority, the few ceremonies which he had recommended to them. They entreated him rather to ſummon a general aſſembly, and to procure their conſent. The King aſking, *What aſſurance he might have of the aſſembly's conſent:* they anſwered, That they ſaw no reaſon to the contrary, and knew that the aſſembly would yield to any reaſonable demand of his Majeſty. *But if it fall out otherwiſe*, ſaid the King, *and my demand be refuſed; my difficulty ſhall be the greater: And when I ſhall uſe my authority in eſtabliſhing the ceremonies, they will call me tyrant and perſecutor.* All crying out, that none could be ſo mad; *Yet experience*, ſaid the King, *tells me, that it may readily happen. Therefore, unleſs I be made ſure, I will not give way to an aſſembly.* Galloway, one of the miniſters, ſaying, that the Archbiſhop of St. Andrews would anſwer for them, the Archbiſhop refuſed: For that he had been deceived by them, and had ſufficiently experienced their breach of promiſe. Then ſaid Galloway, *If your Majeſty will truſt me, I will anſwer for them* †. The King conſented; and an aſſembly was ſummoned on the 25th of November enſuing.

10th of July.

YET this aſſembly, which met after the King's departure from Scotland, eluded all his applications; and it was not till the ſubſequent year, that he was able to procure a vote for receiving his ceremonies. And thro' every ſtep of this affair, in the parliament as well as in all the general aſſemblies, the nation betrayed the utmoſt reluctance to all theſe innovations; and nothing but James's importunity and authority had extorted a ſeeming conſent, which was belied by the inward ſentiments of all ranks of people. Even the few, over whom religious prejudices were not prevalent, thought the national honour ſacrificed by a ſervile imitation of the modes of worſhip, practiſed in England. And every prudent man agreed in condemning the meaſures of the King, who, by an ill-timed zeal for inſignificant ceremonies, had betrayed, tho' in an oppoſite manner, equal narrowneſs of mind, with the perſons, whom he treated with ſuch contempt. It was judged, that, had not theſe dangerous humours been irritated by oppoſition; had they been allowed peaceably to evaporate; they would at laſt have ſubſided within the limits of law and civil authority. And as all fanatical religions naturally circumſcribe, to very narrow bounds, the numbers and riches of the eccleſiaſtics; no ſooner is their firſt fire ſpent, than they loſe the moſt dangerous part of their credit over the people, and leave them under the natural and beneficent influence of their civil and moral obligations.

At the ſame time, that James ſhocked, in ſo violent a manner, the religious principles of his Scots ſubjects, he acted in oppoſition to thoſe of his Engliſh.

† Spotſwood. Franklyn, p. 29.

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He had obſerved, in his progreſs thro' England, that a judaical obſervance of the Sunday, chiefly by means of the puritans, was, every day, gaining ground throughout the kingdom, and that the people, under colour of religion, were, contrary to former practice, debarred from ſuch ſports and recreations, as contributed both to their health and their amuſement †. Feſtivals, which in other nations and ages, are partly dedicated to public worſhip, partly to mirth and ſociety, were here totally appropriated to the offices of religion, and ſerved to nouriſh thoſe ſullen and gloomy contemplations, to which the people were, of themſelves, ſo unfortunately ſubject. The King falſely concluded, that it would be eaſy to infuſe chearfulneſs into this dark ſpirit of devotion. He iſſued a proclamation to allow and encourage, after divine ſervice, all kinds of lawful games and exerciſes; and by his authority, he endeavoured to give ſanction to a practice, which his ſubjects regarded as the utmoſt profaneneſs and impiety *. Chap. III. 1617.

CHAP. IV.

Sir Walter Raleigh's expedition.——His execution.——Inſurrections in Bohemia.——Loſs of the Palatinate.——Negotiations with Spain.——A parliament.——Parties.——Fall of Bacon.——Rupture between King and parliament.——Proteſtation of the commons.

AT the time when Sir Walter Raleigh was firſt confined to the Tower, his violent and haughty temper had rendered him the moſt unpopular man in England, and his condemnation was chiefly owing to that public odium, under which he laboured. During the thirteen years impriſonment, which he ſuffered, the ſentiments of the nation were much changed with regard to him. Men had leiſure to reflect on the hardſhip, not to ſay, injuſtice of his ſentence; they pitied his active and enterprizing ſpirit, which languiſhed in the rigours of confinement; 1618. Sir Walter Raleigh's expedition.

† Kennet, p. 709.

* Franklyn, p. 31. To ſhow how rigid, the Engliſh, chiefly the puritans, were in this particular, a bill was introduced into the houſe of commons, in the 18th of the King, for the more ſtrict obſervation of the Sunday, which they affected to call the Sabbath. One Shepherd oppoſed this bill, objected to the appellation of Sabbath as puritanical, defended dancing by the example of David, and ſeems even to have juſtified ſports on that day. For this profaneneſs, he was expelled the houſe, by the ſuggeſtion of Mr. Pym. The houſe of lords oppoſed ſo far this puritanical ſpirit of the commons, that they propoſed, that the appellation of *Sabbath* ſhould be changed into that of *Lord's Day*. Journ. 15th and 16th February, 1620. 28th May, 1621. In Shepherd's ſentence his offence is ſaid by the houſe to be great, exorbitant, unparalleled.

they

Chap. IV. 1618. they were ſtruck with the extenſive genius of the man, who, being educated amidſt naval and military enterprizes, had ſurpaſſed in the purſuits of literature, even thoſe of the moſt recluſe and ſedentary lives; and they admired his unbroken magnanimity, which, at his age and under his circumſtances, could engage him to undertake and execute ſo great a work as his hiſtory of the world. To increaſe theſe favourable diſpoſitions, on which he built the hopes of recovering his liberty, he ſpread the report of a golden mine, which he had diſcovered in Guiana, and which was ſufficient, according to his repreſentation, not only to inrich all the adventurers, but to afford immenſe treaſures to the nation. The King gave little credit to theſe mighty promiſes; both becauſe he believed, that no ſuch mine, as that deſcribed, was any where in nature, and becauſe he conſidered Raleigh as a man of deſperate fortunes, whoſe buſineſs it was, by any means, to procure his freedom, and to reinſtate himſelf in credit and authority. Thinking, however, that he had already undergone ſufficient puniſhment, he releaſed him from the Tower; and when his vaunts of the golden mine had engaged multitudes to aſſociate with him, the King gave them permiſſion to try the adventure, and, at their deſire, conferred on Raleigh authority over his fellow-adventurers. Tho' ſtrongly ſolicited, he ſtill refuſed to grant him a pardon; which ſeemed a natural conſequence, when he was intruſted with power and command. But James declared himſelf ſtill diffident of Raleigh's deſigns; and he intended, he ſaid, to reſerve the former ſentence, as a check upon his future behaviour.

RALEIGH well knew, that it was far from the King's purpoſe to invade any of the Spaniſh ſettlements: He therefore firmly denied, that Spain had planted any colonies on that part of the coaſt, where his mine lay. When the ambaſſador of that nation, the famous Gondomar, alarmed at his preparations, carried complaints to the King; Raleigh ſtill proteſted the innocence of his intentions: And James aſſured Gondomar, that he durſt not form any hoſtile attempt, and that he ſhould pay with his head for ſo audacious an enterprize. But the miniſter wiſely concluding, that twelve armed veſſels were not fitted out without ſome purpoſe of invaſion, conveyed the intelligence to the court of Madrid, who immediately gave orders for arming and fortifying all their ſettlements, particularly thoſe along the coaſt of Guiana.

WHEN the courage and avarice of the Spaniards and Portugueſe had diſcovered ſo many new worlds, they were reſolved to ſhew themſelves ſuperior to the barbarous heathens, whom they invaded, not only in arts and arms, but alſo in the juſtice of the quarrel: They applied to Alexander VI. who then filled the papal chair; and he generouſly beſtowed on the Spaniards the whole weſtern, and on the Portugueſe the whole eaſtern part of the globe. The more ſcrupulous proteſtants, who acknowleged not the authority of the Roman pontiff, eſtabliſh-

ed the firſt diſcovery as the foundation of *their* title; and if a pyrate or ſea-adventurer of their nation had but erected a ſtick or ſtone on the coaſt, as a memorial of his taking poſſeſſion, they concluded the whole continent to belong to them, and thought themſelves intitled to expel or exterminate, as uſurpers, the antient poſſeſſors and inhabitants. It was in this manner, that Sir Walter Raleigh, about twenty-three years before, had acquired to the crown of England a claim to the continent of Guiana, a region as large as the half of Europe; and tho' he had, immediately after, left the coaſt, he yet pretended, that the Engliſh title to the whole remained certain and indefeazable. But it had happened in the mean time, that the Spaniards, not knowing or not acknowleging this imaginary claim, had taken poſſeſſion of a part of Guiana, had formed a ſettlement on the river Oronooko, had built a little town called St. Thomas, and were there working ſome mines of ſmall value.

To this place, Raleigh directly bent his courſe; and remaining, himſelf, at the mouth of the river with five of the largeſt ſhips, he ſent up the reſt to St. Thomas, under the command of his ſon, and of captain Keymis, a perſon intirely devoted to him. The Spaniards, who had expected this invaſion, fired on the Engliſh at their landing, were repulſed, and purſued into the town. Young Raleigh, to encourage his men, called out, *That this was the true mine, and none but fools looked for any other*; and advancing upon the Spaniards, received a ſhot, of which he immediately expired. This diſmayed not Keymis and the others. They carried on the attack, got poſſeſſion of the town, which they afterwards ſet on fire; and found not in it any thing of value.

Raleigh did not pretend, that he had himſelf ſeen the mine, which he had engaged ſo many people to go in queſt of: It was Keymis, he ſaid, who had formerly diſcovered it, and had brought him that lump of ore, which promiſed ſuch immenſe treaſures. Yet Keymis, who owned, that he was within two hours march of the place, refuſed, on the moſt abſurd pretences, to take any effectual ſtep towards the finding it; and he returned immediately to Raleigh, with the melancholy news of his ſon's death, and the ill ſucceſs of the enterprize. Senſible to reproach, and dreading puniſhment for his behaviour, Keymis, in deſpair, retired into his cabin, and put an end to his own life.

The other adventurers now concluded that they were deceived by Raleigh; that he never had known of any ſuch mine as he pretended to go in ſearch of; that his intention had ever been to plunder St. Thomas; and having encouraged his company by the ſpoils of that place, to have thence proceeded to the invaſion of the other Spaniſh ſettlements; that he expected to repair his ruined fortunes by ſuch daring enterprizes; and that he truſted to the money he ſhould acquire, for making his peace with England; or if that view failed him, that he propoſed to retire into ſome other country, where his riches would ſecure his retreat.

The

Chap. IV. 1618.

THE ſmall acquiſitions, gained by the ſpoil of St. Thomas, diſcouraged Raleigh's companions from entering into theſe views; tho' there were many circumſtances in the treaty and late tranſactions, between the two nations, which invited them to engage in ſuch a pyratical war againſt the Spaniards.

WHEN England made peace with Spain, the example of Henry IV. was imitated, who, at the treaty of Vervins, finding a difficulty in adjuſting all queſtions with regard to the Indian trade, had agreed to paſs over that article in total ſilence. The Spaniards, having, all along, publiſhed ſevere edicts againſt the intercourſe of any European nation with their colonies, interpreted this ſilence in their own favour, and conſidered it as a tacit acquieſcence of England, in the eſtabliſhed laws of Spain. The Engliſh, on the contrary, pretended, that, as they had never been excluded by any treaty from commerce with any part of the King of Spain's dominions, it was ſtill as lawful for them to trade with his ſettlements in either Indies, as with his European territories. In conſequence of this ambiguity, many adventurers from England ſailed to the Spaniſh Indies, and met with ſevere puniſhment, when caught; as they, on the other hand, often ſtole, and, when ſuperior in power, forced a trade with the inhabitants, and reſiſted, nay ſometimes plundered, the Spaniſh governors. Violences of this nature, which had been carried to a great height on both ſides, it was agreed to bury in total oblivion; becauſe of the difficulty, which was found, of remedying them, upon any fixed principles.

BUT as there appeared a great difference between private adventurers in ſingle ſhips, and a fleet acting under a royal commiſſion; Raleigh's companions thought it ſafeſt to return immediately to England, and carry him along with them to anſwer for his conduct. 'Tis pretended, that he employed many artifices, firſt to engage them to attack the Spaniſh ſettlements, and failing of that, to make his eſcape into France: But all theſe proving unſucceſsful, he was delivered into the King's hands, and ſtrictly examined, as well as his fellow-adventurers, before the privy-council. The council found no difficulty in pronouncing, that the former ſuſpicions, with regard to Raleigh's intentions, had been well grounded; that he had abuſed the King in the repreſentations which he had made of his projected adventure; that he had acted in an offenſive and hoſtile manner againſt his Majeſties allies; and that he had wilfully burned and deſtroyed a town belonging to the King of Spain. He might have been tried either by common law for this violence and pyracy, or by martial law for breach of orders: But it was an eſtabliſhed principle among thoſe of the long robe, that, as he lay under an actual attainder for high treaſon, he could not be brought to a new trial for any other crime. To ſatisfy, therefore, the court of Spain, who raiſed the loudeſt complaints againſt him, the King made uſe of that power which he had purpoſely reſerved

ſerved in his own hand, and ſigned the warrant for his execution upon the former ſentence †. Chap. IV. 1618.

Sir

† Some of the facts, in this narration, which ſeem to condemn Raleigh, are taken from the King's declaration, which being publiſhed by authority, when the facts were recent, being extracted from examinations before the privy council, and ſubſcribed by ſix counſellors, among whom was Abbot Archbiſhop of Canterbury, a prelate nowiſe complaiſant to the court, muſt be allowed to have great weight, or rather to be of undoubted credit. Yet the moſt material facts are confirmed either by the nature and reaſon of the thing, or by Sir Walter's own apology and his letters. The King's vindication is in the Harleyan miſcellany, vol. iii. No. 2.

1. There ſeems to be an improbability, that the Spaniards, who knew nothing of Raleigh's pretended mine, ſhould have built a town, in ſo wide a coaſt within three miles of it. The chances are extremely againſt ſuch a ſuppoſition: And it is more natural to think, that the view of plundering the town led him thither, than that of working a mine. 2. No ſuch mine is there found to this day. 3. Raleigh in fact found no mine, and in fact he plundered and burned a Spaniſh town. Is it not more probable, therefore, that the latter was his intention? How can the ſecrets of his breaſt be rendered ſo viſible as to counterpoiſe certain facts? 4. He confeſſes, in his letter to Lord Carew, that tho' he knew it, yet he concealed from the King the ſettlement of the Spaniards on that coaſt. Does not this fact alone render him ſufficiently criminal? 5. His commiſſion impowers him only to ſettle on a coaſt poſſeſſed by ſavage and barbarous inhabitants. Was it not the moſt evident breach of orders to diſembark on a coaſt poſſeſſed by Spaniards? 6. His orders to Keymis, when he ſent him up the river, are contained in his own apology, and from them it appears, that he knew (what was unavoidable) that the Spaniards would reſiſt, and would oppoſe the Engliſh landing and taking poſſeſſion of the country. His intentions, therefore, were hoſtile from the beginning. 7. Without provocation, and even when at a diſtance, he gave Keymis orders to diſlodge the Spaniards from their own town. Could any enterprize be more hoſtile? And, conſidering the Spaniards as allies to the nation, could any enterprize be more criminal? Was he not the aggreſſor, even tho' it ſhould be true that the Spaniards fired upon his men at landing? 'Tis ſaid, he killed three or four hundred of them. Is that ſo light a matter? 8. In his letter to the King, and in his apology, he grounds his defence on former hoſtilities exerciſed by the Spaniards againſt other companies of Engliſhmen. Theſe are accounted for by the ambiguity of the treaty between the nations. And 'tis plain, that tho' theſe might poſſibly be reaſons for the King's declaring war againſt that nation, they could never entitle Raleigh to declare war, and, without any commiſſion, or contrary to his commiſſion, to invade the Spaniſh ſettlements. He pretends indeed that peace was never made with Spain in the Indies: A moſt abſurd notion! The chief hurt, which the Spaniards could receive from England was in the Indies; and they never would have made peace at all, if hoſtilities had been ſtill to be continued on theſe ſettlements. By ſecret agreement, the Engliſh were ſtill allowed to ſupport the Dutch even after the treaty of peace. If they had alſo been allowed to invade the Spaniſh ſettlements, the treaty had been a full peace to England, while the Spaniards were ſtill expoſed to the full effects of war. 9. If the claim to the property of that country as firſt diſcoverer, was good, in oppoſition to preſent ſettlement, as Raleigh pretends; why was it not laid before the King with all its circumſtances, and ſubmitted to his judgment? 10. Raleigh's force is acknowledged by himſelf to have been inſufficient to ſupport him in the poſſeſſion of St. Thomas againſt the power of which Spain was maſter on that coaſt; yet it was ſufficient, as he owns, to take by ſurprize and plunder twenty towns. It was not therefore his deſign to ſettle, but to plunder. By theſe confeſſions, which I have here brought together, he plainly betrays himſelf. 11. Why did he not ſtay and work his mine, as at firſt he projected? He apprehended that the Spaniards would be upon him with a greater force. But before he left England, he knew that this muſt be the caſe, if he invaded any part of the Spaniſh colonies. His intention therefore never was to ſettle, but only

Chap. IV. 1618. Sir Walter Raleigh, finding his fate inevitable, collected all his courage: And tho' he had formerly made uſe of many mean artifices, ſuch as feigning madneſs, ſickneſs,

only to plunder. 12. He acknowledges, that he knew neither the depth nor quantity of the mine, but only that there was ſome ore there. Would he have ventured all his fortune and credit on ſo precarious a foundation? 13. Would the other adventurers, if made acquainted with this, have riſqued every thing to attend him? Ought a fleet to have been equipped for an experiment? Was there not plainly an impoſture in the management of this affair? 14. He ſays to Keymis, in his orders, Bring but a baſket or two of ore, and it will ſatisfy the King, that my project was not imaginary. This was eaſily done from the Spaniſh mines; and he ſeems to have been chiefly diſpleaſed at Keymis for not attempting it. Such a view was a premeditated apology to cover his cheat. 15. The King in his declaration imputes it to Raleigh, that as ſoon as he was at ſea, he immediately fell into ſuch uncertain and doubtful talk of his mine, and ſaid, that it would be ſufficient if he brought home a baſketful of ore. From the circumſtance laſt mentioned, it appears, that this imputation was not without reaſon. 16. There are many other circumſtances of great weight in the King's declaration, that Raleigh, when he fell down to Plymouth, took no pioneers along with him, which he always declared to be his intention; that he was no-way provided of inſtruments for working a mine, but had a ſufficient ſtock of warlike ſtores; that young Raleigh, in attacking the Spaniards, employed the words, which, in the narration, I have put into his mouth; that the mine was moveable, and ſhifted as he ſaw convenient: Not to mention many other public facts which prove him to be highly criminal againſt his companions as well as his country. Howel in his letters ſays, that there lived in London, in 1645, an officer, a man of honour, who aſſerted, that he heard young Raleigh ſpeak theſe words, vol. ii. Letter 63. That was a time, when there was no intereſt in maintaining ſuch a fact. 17. Raleigh's account of his firſt voyage to Guiana proves him to have been a man capable of the moſt extravagant credulity or moſt impudent impoſture. So ridiculous are the ſtories which he tells of the Inca's chimerical empire in the midſt of Guiana; the rich city of el Dorado, or Manao, two day's journey in length, and ſhining with gold and ſilver; the old Peruvian prophecies in favour of the Engliſh, who, he ſays, were expreſly named as the deliverers of that country, long before any European had ever touched there; the Amazons or republic of women; and in general, the vaſt and incredible riches, which he ſaw on that continent, where no body has yet found any treaſures. This whole narration is a proof, that he was extremely defective either in ſolid underſtanding, or morals, or both. No man's character indeed ſeems ever to have been carried to ſuch extremes as Raleigh's, by the oppoſite paſſions of envy and pity. In the former part of his life, when he was active and lived in the world, and was probably beſt known, he was the object of univerſal hatred and deteſtation throughout England; in the latter part, when ſhut up in priſon, he became, much more unreaſonably, the object of great love and admiration.

As to the circumſtances of the narration, that Raleigh's pardon was refuſed him, that his former ſentence was purpoſely kept in force againſt him, and that he went out under theſe expreſs conditions, they may be ſupported by the following authorities. 1. The King's word and that of ſix privy counſellors, who affirm it for fact. 2. The nature of the thing. If no ſuſpicion had been entertained of his intentions, a pardon would never have been refuſed to a man to whom authority was entruſted. 3. The words of the commiſſion itſelf, where he is ſimply ſtiled Sir Walter Raleigh, and not *faithful and well-beloved*, according to the uſual and never failing ſtile on ſuch occaſions. 4. In all the letters which he wrote home to Sir Ralph Winwood and to his own wife, he always conſiders himſelf as a perſon unpardoned, and liable to the law. He ſeems indeed, immediately upon the failure of his enterprize, to have become deſperate, and to have expected the fate which he met with.

'Tis pretended, that the King gave intelligence to the Spaniards of Raleigh's project; as if he had needed to lay a plot for the deſtroying a man, whoſe life had been fourteen years, and ſtill was, in his power.

ſickneſs, and a variety of diſeaſes, in order to protract his examination, and procure his eſcape; he now reſolved to act his part with bravery and reſolution. *'Tis a ſharp remedy*, he ſaid, *but a ſure one for all ills*; when he felt the edge of the ax, by which he was to be beheaded *. His harangue to the people was calm and eloquent; and he endeavoured to revenge himſelf, and to load his enemies with the public hatred, by ſtrong aſſeverations of facts, which, to ſay the leaſt, may be eſteemed very doubtful †. With the utmoſt indifference, he laid his head upon the block, and received the fatal blow. And in his death, there appeared the ſame great, but ill-regulated mind, which, during his life, had diſplayed itſelf in all his conduct and behaviour. Chap. IV. 1618. October 29. Raleigh's execution.

No meaſure of James's reign was attended with more public diſſatisfaction than the puniſhment of Sir Walter Raleigh. To execute a ſentence, which was originally ſo hard, which had been ſo long ſuſpended, and which ſeemed to have been tacitly pardoned, by conferring on him a new truſt and commiſſion, was deemed an inſtance of cruelty and injuſtice. To ſacrifice, to a concealed enemy of England, the life of the only man in the nation, who had a high reputation for valour and military experience, was regarded as meanneſs and indiſcretion. And the intimate connections, which the King was now entering into with Spain,

power. The Spaniards wanted no other intelligence to be on their guard, but the known and public fact of Raleigh's armament. And there was no reaſon why the King ſhould conceal from them the project of a ſettlement, which Raleigh pretended, and the King believed to be entirely innocent.

THE King's chief blame ſeems to have lain in his negligence, in allowing Raleigh to depart without a more exact ſcrutiny: But for this he apologizes, by ſaying, that ſureties were required for the good behaviour of Raleigh and all his aſſociates in the enterprize; but that they gave in bonds for one another: A cheat which was not perceived till they had failed, and which increaſed the ſuſpicion of bad intentions.

PERHAPS the King ought alſo to have granted Raleigh a pardon for his old treaſon, and to have tried him anew for his new offences. His puniſhment in that caſe would not only have been juſt, but conducted in a juſt and unexceptionable manner. But we are told that a ridiculous opinion at that time prevailed in the nation, (and it is plainly ſuppoſed by Sir Walter in his Apology) that by the treaty, war was allowed with the Spaniards in the Indies, tho' Peace was made in Europe: And while that notion took place, no jury would have found Raleigh guilty. So that had not the King puniſhed him upon the old ſentence, the Spaniards would have had a moſt juſt cauſe of complaint againſt the King, ſufficient to have produced a war, at leaſt to have deſtroyed all cordiality, between the nations.

THIS explication I thought neceſſary, in order to clear up the ſtory of Raleigh; which, tho' very obvious, is generally miſtaken in ſo groſs a manner, that I know not its parallel in the whole Engliſh hiſtory.

* Franklyn, p. 32.

† HE aſſeverated in the moſt ſolemn manner, that he had no way contributed to Eſſex's death: But the laſt letter in Murden's Collection contains the ſtrongeſt proof to the contrary.

Chap. IV. 1618.

being univerſally diſtaſteful, rendered this proof of his complaiſance ſtill more odious and unpopular.

JAMES had entertained an opinion, which was peculiar to himſelf, and which had been adopted by none of his predeceſſors, that any alliance, below that of a king, was unworthy a prince of Wales; and he never would allow other than a daughter of France or Spain, to be mentioned as a match for his ſon *. This inſtance of pride, which really implied meanneſs, as if he could receive honour from any alliance, was ſo well known, that Spain had founded on it the hopes of governing, in the moſt important tranſactions, this monarch, ſo little celebrated for politics or prudence. During the life of Henry, the King of Spain had dropped ſome hints of beſtowing on that Prince his eldeſt daughter, whom he afterwards diſpoſed of to the young King of France, Lewis XIII. At that time, the view of the Spaniards was to engage James into a neutrality with regard to the ſucceſſion of Cleves, which was diſputed between the proteſtant and popiſh line †: But the bait did not then take; and James, in conſequence of his alliance with the Dutch, and Henry IV. of France, marched § 4000 men, under the command of Sir Edward Cecil, who joined theſe two powers, and put the Marqueſs of Brandenburgh and the Palatine of Newbourg, in poſſeſſion of that dutchy.

GONDOMAR was, at this time, the Spaniſh ambaſſador in England; a man whoſe flattery was the more artful, becauſe covered with the appearance of frankneſs and ſincerity; whoſe politics were the more dangerous, becauſe diſguiſed under the maſque of mirth and pleaſantry. He now made offer of the ſecond daughter of Spain to Prince Charles; and, that he might render the temptation irreſiſtible to the neceſſitous monarch, he gave hopes of an immenſe fortune, which ſhould attend the Princeſs. The court of Spain, tho' determined to contract no alliance with a heretic, entered into negotiations with James, which they artfully protracted, and amidſt every diſappointment, ſtill redoubled his hopes of ſucceſs ‡. The tranſactions in Germany, ſo important to the Auſtrian greatneſs, became, every day, a new motive for this duplicity of conduct.

Inſurrections in Bohemia.

IN that great revolution of manners, which happened during the ſixteenth and the ſeventeenth centuries, the only nations, who had the honourable, tho' often melancholy advantage, of making an effort for their expiring privileges, were ſuch as, together with the principles of civil liberty, were animated with a zeal for religious parties and opinions. Beſides the irreſiſtible force of mercenary armies, the European princes poſſeſſed this advantage, that they were deſcended from the antient royal families; that they continued the ſame appellations of magiſtrates, the ſame appearance of civil government; and reſtraining themſelves by all the forms of legal adminiſtration, could inſenſibly impoſe the yoke on their unguarded ſub-

* Kennet, p. 703, 748. † Ruſhworth, vol. i. p. 2. § 1612. ‡ Franklyn, p. 71.

jects.

jects. Even the German nations, who formerly broke the Roman chains, and restored liberty to mankind, now lost their own liberty, and saw with grief the absolute authority of their princes firmly established amongst them. In their circumstances, nothing but a pious zeal, which disregards all motives of human prudence, could have made them entertain hopes of preserving any longer those privileges, which their ancestors, thro' so many ages, had transmitted to them. Chap. IV. 1618.

As the house of Austria, throughout all her extensive dominions, had ever made religion the pretence of their usurpations, they now met with resistance from a like principle; and the catholic religion, as usual, had ranged itself on the side of monarchy; the protestant, on that of liberty. The states of Bohemia, having taken arms against the Emperor Mathias, continued their revolt against his successor Ferdinand, and claimed the observance of all the edicts enacted in favour of the new religion, together with the restoration of their antient laws and constitution. The neighbouring principalities, Silesia, Moravia, Lusatia, Austria, even the kingdom of Hungary took part in the quarrel; and throughout all these populous and martial provinces, the spirit of discord and civil war had universally diffused itself *.

Ferdinand II. who possessed more vigour and ability, tho' not more lenity and moderation, than are usual with the Austrian princes, strongly armed himself for the recovery of his authority; and besides employing the assistance of his subjects, who professed the antient religion, he engaged on his side a powerful alliance of the neighbouring potentates. All the catholic princes of the empire had embraced his defence; even Saxony, the most powerful of the protestant: Poland had declared itself in his favour †; and, above all, the Spanish monarch, deeming his own interest closely connected with that of the younger branch of his family, prepared powerful succours from Italy, and from the Low Countries; and he also advanced large sums for the support of Ferdinand and of the catholic religion. 1619.

The states of Bohemia, alarmed with these mighty preparations, began also to solicit foreign assistance; and, together with that support, which they obtained from the evangelical union in Germany, they endeavoured to establish connexions with greater princes. They cast their eyes on Frederic, Elector Palatine. They considered, that, besides the power of his own state, which was considerable, he was son-in-law to the King of England, and nephew to Prince Maurice, whose authority was become almost absolute in the United Provinces. They hoped, that these princes, moved by the connections of blood, as well as by the tie of their common religion, would interest themselves in all the fortunes of Frederic, and would promote his greatness. They therefore made him a tender of their

* Rushworth, vol. i. p. 7, 8. † Rushworth, vol. i. p. 13, 15.

Chap. IV. 1619. crown, which they conſidered as elective; and the young Palatine, ſtimulated by ambition, without conſulting either James * or Maurice, whoſe oppoſition he foreſaw, immediately accepted the offer, and marched all his forces into Bohemia, in ſupport of his new ſubjects.

THE news of theſe events no ſooner reached England, than the whole kingdom was on fire to engage in the quarrel. Scarce was the ardour greater, with which all the ſtates of Europe, in former ages, flew to reſcue the holy land from the dominion of infidels. The nation, at that time, were ſincerely attached to the blood of their monarchs, and they conſidered their connection with the Palatine, who had married a daughter of England, as very cloſe and intimate. And, when they heard of catholics carrying on wars and perſecutions againſt proteſtants, they thought their own intereſt moſt deeply concerned, and regarded their neutrality as a baſe deſertion of the cauſe of God, and of his holy religion. In ſuch a quarrel, they would gladly have marched to the oppoſite extremity of Europe, have plunged themſelves into a chaos of German politics, and have expended all the blood and treaſure of the nation, by maintaining a conteſt with the whole houſe of Auſtria, at the very time, and in the very place, in which it was the moſt potent, and almoſt irreſiſtible.

BUT James, beſides that he had too little enterprize for ſuch vaſt undertakings, was reſtrained by another motive, which had a mighty influence over him. He refuſed to patronize the revolt of ſubjects againſt their ſovereign. From the very firſt he denied to his ſon-in-law, the title of the King of Bohemia †: He forbad him to be prayed for in the churches under that appellation: And tho' he owned, that he had nowiſe examined the pretenſions, privileges, and conſtitution of the revolted ſtates ‡; ſo exalted was his idea of the rights of kings, that he concluded ſubjects muſt ever be in the wrong, when they ſtood in oppoſition to thoſe, who had acquired or aſſumed that majeſtic title. Thus, even in meaſures, founded on true politics, James intermixed ſo many narrow prejudices, as loſt him all his authority, and expoſed him to the imputation of weakneſs and of error.

1620. MEAN while, affairs every where haſtened to a criſis. Ferdinand levied a mighty force under the command of the Duke of Bavaria and the Count of Bucquoy; and advanced upon his enemy in Bohemia. In the Low Countries, Spinola collected a veteran army of thirty thouſand men. When Edmonds, the King's reſident at Bruſſels, made remonſtrances to the Archduke Albert, he was anſwered, that the orders for this armament had been tranſmitted to Spinola from Madrid, and that he alone knew the ſecret intentions of it. Spinola again told the miniſter, that his orders were ſtill ſealed; and that, if Edmonds would accompany him in

* Franklyn, p. 49. † Ruſhworth, vol. i. p. 12, 13. ‡ Franklyn, p. 48.

his

his march to Coblentz, he would there open them, and give him full ſatisfaction †. It was more eaſy to ſee his intentions, than to prevent their ſucceſs. Almoſt at one time, it was known in England, that Frederic, being defeated in the great and deciſive battle of Prague, had fled with his family into Holland, and that Spinola had fallen upon the Palatinate, and, meeting with no reſiſtance, except from ſome princes of the union, and from one Engliſh regiment of 2,400 men, commanded by the brave Sir Horace Vere ‖, had, in a little time, made himſelf maſter of the greateſt part of that principality. Chap. IV. 1620. Loſs of the Palatinate.

HIGH were now the murmurs and complaints againſt the King's neutrality and unactive diſpoſition. The happineſs and tranquillity of their own country became diſtaſteful to the Engliſh, when they reflected on the oppreſſions and diſtreſſes of their proteſtant brethren in Germany. They conſidered not, that their interpoſition in the wars of the continent, tho' agreeable to religious zeal, could not, at that time, be juſtified by any ſound maxims of politics; that, however exorbitant the Auſtrian greatneſs, the danger was ſtill too diſtant to give any juſt alarms to England; that mighty reſiſtance would yet be made by ſo many potent and warlike princes and ſtates in Germany, ere they would yield their neck to the yoke; that France, now engaged to contract a double alliance with the Auſtrian family, muſt neceſſarily be ſoon rouzed from her lethargy, and oppoſe the progreſs of ſo hated a rival; that in the farther advance of conqueſts, even the intereſts of the two branches of that ambitious family muſt interfere, and beget mutual jealouſy and oppoſition; that a land-war, carried on at ſuch a diſtance, would waſte the blood and treaſure of the Engliſh nation, without any hopes of ſucceſs; that a ſea-war, indeed, might be both ſafe and ſucceſsful againſt Spain, but would not affect the enemy in ſuch vital parts as to make them ſtop their career of ſucceſs in Germany, and abandon all their acquiſitions; and that the proſpect of recovering the Palatinate being at preſent deſperate, the affair was reduced to this ſimple queſtion, whether peace and commerce with Spain, or the uncertain hopes of plunder and of conqueſts in the Indies, were preferable? A queſtion, which, at the beginning of the King's reign, had already been decided, and perhaps with reaſon, in favour of the former advantages.

JAMES might have defended his pacific meaſures by ſuch plauſible arguments: But theſe ſeem not to have been altogether the motives which ſwayed him. He had entertained the Utopian notion, that, as his own juſtice and moderation had ſhone out ſo conſpicuouſly thro' all theſe tranſactions, the whole houſe of Auſtria, tho' not awed by the power of England, would willingly, from mere reſpect to his virtue, ſubmit themſelves to ſo equitable an arbitration. He flattered himſelf with hopes, that, after he had formed an intimate connection with the Spa- Negotiations with Spain.

† Franklyn, p. 44. Ruſhworth, vol. i. p. 14. p. 15. Kennet, p. 723.

‖ Franklyn, p. 42, 43. Ruſhworth, vol. i.

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niſh monarch, by means of his ſon's marriage, the reſtitution of the Palatinate might be procured, from the motive alone of friendſhip and perſonal regard. He perceived not, that his unactive virtue, the more it was extolled, the greater contempt was it expoſed to. He was not ſenſible, that the Spaniſh match was itſelf attended with ſuch difficulties, that all his art of negotiation would ſcarce be able to ſurmount them; much leſs, that that match could in good policy be depended on, as the means of procuring ſuch extraordinary advantages. His unwarlike diſpoſition, increaſed by age, rivetted him ſtill faſter in his errors, and determined him to ſeek the reſtoration of his ſon-in-law, by remonſtrances and entreaties, by arguments and embaſſies, rather than by blood and violence. And the ſame defect of courage, which held him in awe of foreign nations, made him likewiſe afraid of ſhocking the prejudices of his own ſubjects, and kept him from openly avowing the meaſures, which he was determined to purſue. Or perhaps, he hoped to turn theſe prejudices to account; and, by their means, engage his people to furniſh him with ſupplies, of which their exceſſive frugality had hitherto made them ſo ſparing and reſerved †.

A parliament.

He firſt tried the expedient of a benevolence or free gift from individuals, pretending the urgency of the caſe, which would not allow leiſure for any other meaſure: But the jealouſy of liberty was now rouzed, and the nation regarded theſe pretended benevolences as real violences, contrary to law and pernicious to freedom, however authorized by antient precedent. A parliament was found to be the only reſource, which could furniſh any large ſupplies; and writs were accordingly iſſued for ſummoning that great council of the nation.

1621.

16th of June.

This parliament is remarkable for being the epoch, in which were firſt regularly formed, tho' without acquiring theſe denominations, the parties of Court and Country; parties, which have ever ſince continued, and which, while they oft threaten the total diſſolution of the government, are the real cauſes of its permanent life and vigour. In the antient feudal conſtitution, of which the Engliſh partook with other European nations, there was a mixture, not of authority and liberty, which we have ſince enjoyed in this iſland, and which now ſubſiſt uniformly together; but of authority and anarchy, which perpetually ſhocked with each other, and which took place alternately, according as circumſtances were more or leſs favourable to either of them. A parliament, compoſed of barbarians, ſummoned from their fields and foreſts, uninſtructed by ſtudy, converſation, or travel; ignorant of their own laws and hiſtory, and unacquainted with the ſituation of all foreign nations; a parliament called precariouſly by the King, and diſſolved at his pleaſure; ſitting a few days, debating a few points prepared for them, and whoſe members were impatient to return to their own caſtles, where

† Franklyn, p. 47. Ruſhworth, vol. i. p. 21.

alone

alone they were great, and to the chace, which was their favourite amuſement: Such a parliament was very little fitted to enter into a diſcuſſion of all the queſtions of government, and to ſhare, in a regular manner, the legal adminiſtration. The name, the authority of the King alone appeared, in the common courſe of government; in extraordinary emergencies, he aſſumed, with ſtill better reaſon, the ſole direction; the imperfect and unformed laws left, in every thing, a latitude of interpretation; and when the ends, purſued by the monarch, were, in general, agreeable to his ſubjects, little ſcruple or jealouſy was entertained, with regard to the regularity of the means. During the reign of an able, fortunate, or popular prince, no member of either houſe, much leſs of the lower, durſt think of entering into a formed party, in oppoſition to the court; ſince the diſſolution of the parliament muſt, in a few days, leave him unprotected, to the vengeance of his ſovereign, and to thoſe ſtretches of prerogative, which were then ſo eaſily made, in order to puniſh an obnoxious ſubject. During an unpopular and weak reign, the current commonly ran ſo ſtrong againſt the monarch, that none durſt inliſt themſelves in the court-party; or if the prince was able to engage any conſiderable barons on his ſide, the queſtion was decided with arms in the field, not by debates or arguments in a ſenate or aſſembly. And upon the whole, the chief circumſtance, which, during antient times, retained the prince in any legal form of adminiſtration, was, that the ſword, by the nature of the feudal tenures, remained ſtill in the hands of his ſubjects; and this irregular and dangerous check had much more influence than the regular and methodical limits of the laws and conſtitution. As the nation could not be compelled, it was neceſſary, that every public meaſure of conſequence, particularly that of levying new taxes, ſhould ſeem to be adopted by common conſent and approbation.

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The princes of the houſe of Tudor, partly by the vigour of their adminiſtration, partly by the concurrence of favourable circumſtances, had been able to eſtabliſh a more regular ſyſtem of government; but they drew the conſtitution ſo near to deſpotiſm, as diminiſhed extremely the authority of the parliament. That ſenate became, in a great degree, the organ of royal will and pleaſure: Oppoſition would have been regarded as a ſpecies of rebellion: And even religion, the moſt dangerous article, in which innovations could be introduced, had admitted, in the courſe of a few years, four ſeveral alterations, from the authority alone of the ſovereign. The parliament was not then the road to honour and preferment: The talents of popular intrigue and eloquence were uncultivated and unknown: And tho' that aſſembly ſtill preſerved authority, and retained the privilege of making laws and beſtowing public money, the members acquired not, upon that account, either with prince or people, much more weight and conſideration. What powers were neceſſary for conducting the machine of government, the King was accuſtomed, of himſelf, to aſſume. His own revenues ſupplied him with money

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ſufficient for his ordinary expences. And when extraordinary emergencies occurred, the prince needed not to ſolicit votes in parliament, either for the making laws or impoſing taxes, both of which were now become requiſite for public intereſt and preſervation.

THE ſecurity of individuals, ſo neceſſary to the liberty of popular councils, was totally unknown in that age. And as no deſpotic princes, ſcarce even the eaſtern tyrants, rule entirely without the concurrence of ſome aſſemblies, which ſupply both advice and authority; little, but a mercenary force, ſeems then to have been wanting towards the eſtabliſhment of a ſimple monarchy in England. The militia, tho' more favourable to regal authority, than the feudal inſtitutions, was much inferior, in this reſpect, to diſciplined armies; and if it did not preſerve liberty to the people, it preſerved, at leaſt, the power, if ever the inclination ſhould ariſe, of recovering it.

BUT ſo low, at that time, ran the inclination towards liberty, that Elizabeth, the laſt of that arbitrary line, herſelf no leſs arbitrary, was yet the moſt renowned and moſt popular of all the ſovereigns, who had filled the throne of England. It was natural for James to take the government as he found it, and to purſue her meaſures, which he heard ſo much applauded; nor did his penetration extend ſo far as to diſcover, that neither his circumſtances nor his character could ſupport ſo extenſive an authority. His narrow revenues and little frugality began now to render him dependant on his people, even in the ordinary courſe of adminiſtration: Their increaſing knowlege diſcovered to them that advantage, which they had obtained; and made them ſenſible of the ineſtimable value of civil liberty. And as he poſſeſſed too little dignity to command reſpect, and too much good-nature to impreſs fear, a new ſpirit diſcovered itſelf every day in the parliament; and a party, jealous of a free conſtitution, was regularly formed in the houſe of commons.

BUT notwithſtanding theſe advantages, acquired to liberty; ſo extenſive was royal authority, and ſo firmly eſtabliſhed in all its parts, that 'tis probable the patriots of that age would have deſpaired of ever reſiſting it, had they not been ſtimulated by religious motives, which inſpire a courage, unſurmountable by any human obſtacle.

THE ſame alliance, which has ever prevailed between kingly power and eccleſiaſtical authority, was now fully eſtabliſhed in England; and while the prince aſſiſted the clergy in ſuppreſſing ſchiſmatics and innovators, the clergy, in return, inculcated the doctrine of an unreſerved ſubmiſſion and obedience to the civil magiſtrate. The genius of the church of England, ſo kindly to monarchy, forwarded the confederacy; its ſubmiſſion to epiſcopal juriſdiction; its attachment to ceremonies, to order, and to a decent pomp and ſplendor of worſhip,

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and in a word, its affinity to the tame ſuperſtition of the catholics, rather than to the wild fanaticiſm of the puritans. Chap. IV. 1621.

On the other hand, oppoſition to the church, and the perſecutions under which they laboured, were ſufficient to throw the puritans into the country-party, and to beget political principles little favourable to the high pretenſions of the ſovereign. The ſpirit too of enthuſiaſm; bold, daring, and uncontrouled; ſtrongly diſpoſed their minds to adopt republican tenets; and inclined them to arrogate, in their actions and conduct, the ſame liberty, which they aſſumed, in their rapturous flights and extaſies. Ever ſince the firſt origin of that ſect, thro' the whole reign of Elizabeth as well as of James, *puritanical* principles had been underſtood in a double ſenſe, and expreſſed the opinions favourable, both to political and to eccleſiaſtical liberty *. And as the court, in order to diſcredit all parliamentary oppoſition, affixed the denomination of puritans to its antagoniſts; the religious puritans willingly adopted this idea, which was ſo advantageous to them, and which confounded their cauſe with that of the patriots or country-party. Thus were the civil and eccleſiaſtical factions regularly formed; and the humour of the nation, during that age, running ſtrongly towards fanatical extravagancies, the ſpirit of civil liberty gradually revived from its lethargy, and by means of its religious aſſociate, from which it reaped more advantage than honour, it ſecretly enlarged its dominion over the greateſt part of the kingdom.

In this parliament, however, it muſt be owned, there appeared, at firſt, nothing but duty and ſubmiſſion on the part of the commons; and they ſeemed determined to ſacrifice every thing, in order to maintain a good correſpondence with their prince. They would allow no mention to be made of the new cuſtoms or impoſitions, which had been ſo eagerly diſputed in the former parliament †: The impriſonment of the members of that parliament was here, by ſome, complained of; but, by the authority of the graver and more prudent part of the houſe, that grievance was buried in oblivion ‡: And being informed, that the King had remitted very conſiderable ſums to the Palatine, they voted him two ſubſidies, without a negative ‖; and that too, at the very beginning of the ſeſſion, contrary to the maxims frequently adopted by their predeceſſors.

Afterwards, they proceeded, but in a very temperate manner, to the examination of grievances. They found, that patents had been granted to Sir Giles Mompeſſon and Sir Francis Michel, for the licenſing inns and ale-houſes; that great ſums of money had been levied, under pretext of theſe licences; and that ſuch inn-keepers as preſumed to continue their buſineſs, without ſatisfying the

* D'Ewes, p. 328. † Journ. 5th Dec. 1621. ‡ Id. 12th, 16th Feb. 1620.
‖ Journ. 16th Feb. 1620.

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rapacity of the patentees, had been ſeverely puniſhed by fines, impriſonments, and other vexatious proſecutions.

THE ſame perſons had alſo procured a patent, which they ſhared with Sir Edward Villiers, brother to Buckingham, for the ſole making of gold and ſilver thread and lace, and had obtained very extraordinary powers for preventing any rivalſhip in theſe manufactures: They were armed with authority to ſearch for all goods, which might interfere with their patent; and even to puniſh, at their own will and diſcretion, the makers, importers, and venders of ſuch commodities. Many had grievouſly ſuffered by this exorbitant juriſdiction; and the lace, which had been manufactured by the patentees, was found univerſally to be adulterated, and to be compoſed more of copper than of the precious metals.

THESE grievances the commons repreſented to the King; and they met with a very gracious and very cordial reception. He ſeemed even thankful for the information given him; and declared himſelf aſhamed, that ſuch abuſes, unknowingly to him, had crept into his adminiſtration. "I aſſure you," ſaid he, "had I before heard theſe things complained of, I would have done the office "of a juſt King, and out of parliament have puniſhed them, as ſeverely, and "peradventure more, than you now intend to do *." A ſentence was paſt for the puniſhment of Michel, and Mompeſſon †. It was executed on the former. The latter broke priſon and eſcaped. Villiers was, at that time, ſent purpoſely on a foreign employment; and his guilt being leſs enormous or leſs apparent than that of the others, he was eaſily protected by the credit of his brother, Buckingham ‡.

Bacon's fall.

ENCOURAGED by this ſucceſs, the commons carried their ſcrutiny, and ſtill with a reſpectful hand, into other abuſes of great importance. The ſeals were, at that time, in the keeping of the celebrated Bacon, created Viſcount St. Albans; a man univerſally admired for the greatneſs of his genius, and beloved for the courteouſneſs and humanity of his behaviour. He was the great ornament of his age and nation; and nought was wanting to render him the ornament of human nature itſelf, but that ſtrength of mind, which might check his intemperate deſire of preferment, that could add nothing to his dignity, and reſtrain his profuſe inclination to expence, that could be requiſite neither for

* Franklyn, p. 51. Ruſhworth, p. 25. † Franklyn, p. 52. Ruſhworth, vol. i. p. 27.

‡ Yelverton the attorney-general was accuſed by the commons for drawing the patents for theſe monopolies, and for ſupporting them. He apologized for himſelf, that he was forced by Buckingham, and that he ſuppoſed it to be the King's pleaſure. The lords were ſo offended at theſe articles of defence, tho' neceſſary to the attorney-general, that they fined him 10,000 pounds to the King, 5000 to the Duke. The fines, however, were afterwards remitted. Franklyn, p. 55. Ruſhworth, vol. i. p. 31, 32, &c.

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his honour nor entertainment. His want of oeconomy and his indulgence to ſervants had involved him in neceſſities; and, in order to ſupply his prodigality, he had been tempted to take bribes, and that in a very open manner, from ſuitors in chancery. 'Tis pretended, that, notwithſtanding this enormous abuſe, he had ſtill, in the ſeat of juſtice, preſerved the integrity of a judge, and had given juſt decrees againſt thoſe very perſons, from whom he had received the wages of iniquity. Complaints roſe the louder on that account, and at laſt reached the houſe of commons, who ſent up an impeachment againſt him to the peers. The chancellor, conſcious of guilt, deprecated the vengeance of his judges, and endeavoured, by a general avowal, to eſcape the confuſion of a ſtricter enquiry. The lords inſiſted on a particular confeſſion of all his corruptions. He acknowleged twenty-eight articles; and was ſentenced to pay a fine of 40,000 pounds, to be impriſoned in the Tower during the King's pleaſure, to be for ever incapable of any office, place, or employment; and never again to ſit in parliament, or come within the verge of the court. Chap. IV. 1621.

THIS dreadful ſentence, dreadful to a man of nice ſenſibility to honour, he ſurvived five years; and being releaſed in a little time, from the Tower, his genius, yet unbroken, ſupported itſelf amidſt involved circumſtances and a depreſſed ſpirit, and ſhone out in literary productions, which have made his guilt or weakneſſes be forgotten or overlooked by poſterity. In conſideration of his great merit, the King remitted his fine, as well as all the other parts of his ſentence, conferred on him a large penſion of 1800 pounds a year, and employed every expedient to alleviate the weight of his age and misfortunes. And that great philoſopher, at laſt, acknowleged with regret, that he had too long neglected the true ambition of a fine genius; and by plunging into buſineſs and affairs, which require much leſs capacity, but greater firmneſs of mind, than the purſuits of learning, had expoſed himſelf to ſuch grievous calamities.

THE commons had entertained the idea, that they were the great patrons of the people, and that the redreſs of all grievances muſt proceed from them; and to this principle they were chiefly beholden for the regard and conſideration of the public. In the execution of this office, they now kept their ears open to complaints of every kind; and they carried their reſearches into many grievances, which, tho' of no great importance, could not be touched, without ſenſibly affecting the King and his miniſters. The prerogative ſeemed, each moment, to be invaded; the King's authority, in every article, was diſputed; and James, who was willing to correct the abuſes of his power, would not ſubmit to have his power itſelf queſtioned and denied. After the houſe, therefore, had ſat near ſix months, and had, as yet, brought no conſiderable buſineſs to a full concluſion, the King reſolved, under pretence of the advanced ſeaſon, to interrupt their

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their proceedings; and he ſent them word, that he was determined, in a very little time, to adjourn them till next winter. The commons made application to the lords, and deſired them to join in a petition for delaying the adjournment; which was refuſed by the upper houſe. The King regarded this project of a joint petition as an attempt to force him from his meaſures: He thanked the peers for their refuſal to concur in it, and told them, that, if it was their deſire, he would delay the adjournment, but would not ſo far comply with the requeſt of the lower houſe *. And thus, in theſe great national affairs, the ſame peeviſhneſs, which, in private altercations, often raiſes a quarrel from the ſmalleſt beginnings, produced a mutual coldneſs and diſguſt between the King and the commons.

DURING the receſs of parliament, the King uſed every meaſure to render himſelf popular with the nation, and to appeaſe the riſing ill humour of their repreſentatives. He had voluntarily offered to the parliament to circumſcribe his own prerogative, and to abrogate his power of granting any monopolies for the future. He now recalled all the patents of that kind, and redreſſed every article of grievance, to the number of thirty-ſeven, which had ever been complained of in the houſe of commons †. But he gained not the end, which he propoſed. The diſguſt, which had appeared at parting, could not ſo ſuddenly be diſpelled. He had likewiſe been ſo imprudent as to commit to priſon Sir Edwin Sandys ‡, and Mr. Selden, without any known cauſe, beſides their activity and vigour, in diſcharging their duty as members of parliament. And above all, the tranſactions in Germany were ſufficient, when joined to the King's cautions, negotiations, and delays, to inflame that jealouſy of honour and religion, which prevailed throughout the nation ‖. This ſummer, the ban of the empire was publiſhed againſt the Elector Palatine; and the execution of it was committed to the Duke of Bavaria §. The Upper Palatinate was, in a little time, conquered by that prince, and meaſures were taking in the empire for beſtowing on him the electoral dignity, of which the Palatine was deſpoiled. Frederic now lived, with his numerous family,

* Ruſhw. vol. i. p. 35. † Id. vol. i. p. 36. Kennet, p. 733. ‡ Journ. Dec. 1, 1621.

‖ To ſhow to what degree the nation was enflamed with regard to the Palatinate, there occurs a remarkable ſtory this ſeſſion. One Floyde, a priſoner in the Fleet, a Catholic, had dropt ſome expreſſions as if he were pleaſed with the misfortunes of the Palatine and his wife. The commons were in a flame; and pretending to be a court of judicatory and of record, proceeded to condemn him to a ſevere puniſhment. The houſe of lords checked this encroachment; and what was extraordinary, conſidering the preſent humour of the lower houſe, they acquieſced in the ſentiments of the lords. This is almoſt the only pretenſion of the Engliſh commons in which they have not prevailed. Happily for the nation, they have been ſucceſsful, in almoſt all their other claims. See Parliamentary Hiſtory, vol. v. p. 428, 429, &c. Journ. 4th, 8th, 12th May, 1621.

§ Franklyn, p. 73.

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in poverty and diſtreſs, either in Holland, or at Sedan with his uncle the Duke of Boüillon. And throughout all the new conqueſts, in both the Palatines as well as in Bohemia, Auſtria, Luſatia; the progreſs of the Auſtrian arms was attended with rigours and ſeverities, exerciſed againſt the profeſſors of the reformed religion. Chap. IV. 1621.

THE zeal of the commons immediately moved them, upon their aſſembling, to take all theſe tranſactions into conſideration. They framed a remonſtrance, which they intended to carry to the King. They repreſented, that the enormous growth of the Auſtrian power threatened the liberties of all Europe; that the progreſs of the catholic religion in England bred the moſt melancholy apprehenſions, leſt it ſhould again acquire an aſcendant in the kingdom; that the indulgence of his Majeſty towards the profeſſors of that religion had encouraged their inſolence and temerity; that the uncontrouled conqueſts, made by the Auſtrian family in Germany, raiſed mighty expectations in the Engliſh papiſts; but above all, that the proſpect of the Spaniſh match elevated them ſo far as to hope for an intire toleration, if not a final re-eſtabliſhment of their religion. The commons, therefore, entreated his Majeſty, that he would immediately undertake the defence of the Palatine, and maintain it by force of arms; that he would turn his ſword againſt Spain, whoſe armies and treaſures were the chief ſupport of the catholic intereſt in Europe; that he would enter into no negotiation for the marriage of his ſon but with a proteſtant princeſs; that the children of popiſh recuſants ſhould be taken from their parents, and committed to the care of proteſtant teachers and ſchoolmaſters; and that the fines and confiſcations, to which the catholics were by law liable, ſhould be levied with the utmoſt ſeverity †. 14th of Nov. Rupture between King and Parliament.

BY this *bold* ſtep, unprecedented in England for many years, and ſcarce ever heard of in peaceable times, the commons attacked at once all the King's favourite maxims of government; his cautious and pacific meaſures, his lenity towards the Romiſh religion, and his attachment to the Spaniſh alliance, from which he promiſed himſelf ſuch mighty advantages. But what moſt diſguſted him was, their ſeeming invaſion of his prerogative, and their pretending, under colour of advice, to direct his conduct in ſuch tranſactions, as had ever been acknowleged to belong ſolely to the management and direction of the ſovereign. He was, at that time, abſent at Newmarket; but ſo ſoon as he heard of the intended remonſtrance of the commons, he wrote a letter to the ſpeaker, in which he ſharply rebuked the houſe for debating openly of matters far above their reach and capacity, and he ſtrictly forbad them to meddle with any thing, that regarded his government or deep matters of ſtate, and eſpecially not to touch on

† Franklyn, p. 58, 59. Ruſhworth, vol. i. p. 40, 41. Kennet, p. 739.

his

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his ſon's marriage with the daughter of Spain, nor to attack the honour of that King or any other of his friends and confederates. In order the more to terrify them, he mentioned the impriſonment of Sir Edwin Sandys; and tho' he denied, that the confinement of that member had been owing to any offence committed in the houſe, he yet plainly told them, that he thought himſelf fully intitled to puniſh every miſdemeanour in parliament, as well during its ſitting as after its diſſolution; and that he intended thenceforward to chaſtize any man, whoſe inſolent behaviour there ſhould miniſter occaſion of offence *.

THIS *violent* letter, in which the King, tho' he here imitated former precedents of Elizabeth, may be thought not to have acted altogether on the defenſive, had the effect, which might naturally have been expected from it: The commons were enflamed, not terrified. Conſcious of their own popularity, and of the bent of the nation towards a war with the catholics abroad, and the perſecution of popery at home, they little dreaded the menaces of a prince, who was unſupported by military force, and whoſe gentle temper would, of itſelf, ſo ſoon diſarm his ſeverity. In a new remonſtrance, therefore, they ſtill inſiſted on their former remonſtrance and advice; and they maintained, tho' in reſpectful terms, that they were intitled to interpoſe with their council in all matters of government; that it was their antient and undoubted right, and an inheritance tranſmitted to them from their anceſtors, to poſſeſs intire freedom of ſpeech in their debates of public buſineſs; and that, if any member abuſed this liberty, it belonged to the houſe alone, who were witneſſes of his offence, to inflict a proper cenſure upon him †.

So *vigorous* an anſwer was nowiſe calculated to appeaſe the King. 'Tis ſaid, when the approach of the committee, who were to preſent it, was notified to him, he ordered twelve chairs to be brought; for that there were ſo many Kings a coming ‡. His anſwer was prompt and ſharp. He told the houſe, that their remonſtrance was more like a denunciation of war than an addreſs of dutiful ſubjects; that their pretenſion to inquire into all ſtate-affairs, without exception, was ſuch a plenipotence as none of their anceſtors, even during the reign of the weakeſt princes, had ever pretended to; that public tranſactions depended on a complication of views and intelligence, with which they were entirely unacquainted; that they could not better ſhow their wiſdom, as well as duty, than by keeping within their proper ‖ ſphere; and that in any buſineſs, which depended on his prerogative, they had no title to interpoſe with their advice, except when he was pleaſed to deſire it. And he concluded with theſe memorable words; *And tho'*

* Franklyn, p. 60. Ruſhworth, vol. i. p. 43. Kennet, p. 741.

† Franklyn, p. 60. Ruſhworth, vol. i. p. 44. Kennet, p. 741. ‡ Kennet, p. 743.

‖ *Ne ſutor ultra crepidam.* This expreſſion is imagined to be inſolent and diſobliging: But it was a Latin proverb familiarly uſed on all occaſions.

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we cannot allow of your ſtile, in mentioning your antient and undoubted right and inheritance, but would rather have wiſhed, that ye had ſaid, that your privileges were derived from the grace and permiſſion of our anceſtors and us (for the moſt of them grew from precedents, which ſhows rather a toleration than inheritance;) yet we are pleaſed to give you our royal aſſurance, that as long as you contain yourſelves within the limits of your duty, we will be as careful to maintain and preſerve your lawful liberties and privileges as ever any of our predeceſſors were, nay, as to preſerve our own royal prerogative *.

THIS open pretenſion of the King deſervedly gave great alarm to the houſe of commons. They ſaw their title to every privilege, if not plainly denied, yet conſidered, at leaſt, as very precarious. It might be forfeited by abuſe, and they had already abuſed it. They thought proper, therefore, immediately to oppoſe pretenſion to pretenſion. They framed a proteſtation, where they repeated all their former claims for freedom of ſpeech, and an unbounded authority to interpoſe with their advice and council. And they aſſerted, *That the liberties, franchiſes, privileges, and juriſdictions of parliament are the antient and undoubted birthright and inheritance of the ſubjects of England* †.

18th of Dec. Proteſtation of the commons.

THE King, informed of theſe increaſing heats and jealouſies in the houſe, hurried to town. He ſent immediately for the Journal-book of the commons; and, with his own hand, before the council, he tore out this proteſtation ‡; and ordered his reaſons to be inſerted in the Council-book. He was doubly diſplea-

* Franklyn, p. 62, 63, 64. Ruſhworth, vol. i. p. 46, 47, &c. Kennet, p. 743.

† This proteſtation is ſo remarkable, that it may not be improper to give it in its own words. "The commons now aſſembled in parliament, being juſtly occaſioned thereunto, concerning ſundry "liberties, franchiſes and privileges of parliament, amongſt others here mentioned, do make this "proteſtation following: That the liberties, franchiſes and juriſdictions of parliament are the antient "and undoubted birth-right and inheritance of the ſubjects of England; and that the urgent and "arduous affairs concerning the King, ſtate, and defence of the realm and of the church of England, "and the maintenance and making of laws and redreſs of miſchiefs and grievances, which daily hap-"pen within this realm, are proper ſubjects and matter of council and debate in parliament; and that "in the handling and proceeding of thoſe buſineſſes, every member of the houſe of parliament hath, "and, of right, ought to have, freedom of ſpeech to propound, treat, reaſon, and bring to con-"cluſion the ſame; and that the commons in parliament have like liberty and freedom to treat of "theſe matters, in ſuch order as in their judgments ſhall ſeem fitteſt; and that every member of the "ſaid houſe hath like freedom from all impeachment, impriſonment and moleſtation (other than by "cenſure of the houſe itſelf) for, or concerning any ſpeaking, reaſoning or declaring of any matter "or matters touching the parliament or parliament-buſineſs; and that if any of the ſaid members "be complained of, and queſtioned for any thing done or ſaid in parliament, the ſame is to be ſhown "to the King, by the advice and aſſent of all the commons aſſembled in parliament, before the King "give credence to any private information." Franklyn, p. 65. Ruſhworth, vol. i. p. 53. Kennet, p. 747. Coke, p. 77.

‡ Journ. 18th Dec. 1621.

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sed, he said, with the protestation of the lower house; on account of the manner of framing it, as well as of the matter, which it contained. It was tumultuously voted, at a late hour, and in a thin house; and it was expressed in such general and ambiguous terms, as might serve for a foundation to the most enormous claims, and to the most unwarrantable usurpations upon his prerogative *.

The meeting of the house might have proved dangerous after so violent a breach. It was no longer possible, while men were in such a temper, to finish any business. The King, therefore, prorogued the parliament, and soon after dissolved it by proclamation; in which he also made an apology to the public for his whole conduct. The leading members of the house, Sir Edward Coke and Sir Robert Philips, were committed to the Tower; Selden, Pym, and Mallory to other prisons †. As a lighter punishment, Sir Dudley Digges, Sir Thomas Crew, Sir Nathaniel Rich, Sir James Perrot, joined in commission with others, were sent to Ireland, in order to execute some business ‡. The King, at that time, enjoyed, at least exercised, the prerogative of employing any man, even without his consent, in any branch of public service.

Sir John Saville, a powerful man in the house of commons, and a zealous opponent of the court, was made comptroller of the household, a privy counsellor, and soon after, a baron §. This event is memorable; as being the first instance, perhaps, in the whole history of England, of any king's advancing a man, on account of parliamentary interest, and of opposition to his measures. However irregular this practice, it will be regarded by political reasoners, as one of the most early and most infallible symptoms of a regular established liberty.

The King having thus, with so rash and indiscreet a hand, torn off that sacred veil, which had hitherto covered the English constitution, and which threw an obscurity upon it, so advantageous to royal prerogative; every man began to indulge himself in political reasonings and inquiries; and the same factions, which commenced in parliament, were propagated throughout the nation. In vain, did James, by re-iterated proclamations, forbid the discoursing of state affairs ‖. Such proclamations, if they had any effect, served rather to inflame the curiosity of the public; and in every company or society, the late transactions became the subject of argument and debate.

All history, said the partizans of the court, as well as the history of England, justify the King's position with regard to the origin of popular privileges; and every reasonable man must allow, that, as monarchy is the most simple form of government, it must first have occurred to rude and uninstructed mankind. The

* Franklyn, p. 65. † Franklyn, p. 66. Rushworth, vol. i. p. 55. ‡ Franklyn, p. 66. Rushworth, vol. i. p. 55. § Kennet, p. 749. ‖ Franklyn, p. 56. Rushworth, vol. i. p. 21, 36, 55. The King also, in imitation of his predecessors, gave rules to preachers, Franklyn, p. 70. The pulpit was at that time much more dangerous than the press.

other

other complicated and artificial additions were the ſucceſſive invention of ſovereigns, and legiſlators; or, if they were obtruded on the prince by ſeditious ſubjects, their origin muſt appear, on that account, ſtill more precarious and unfavourable. In England, the authority of the King, in all the exterior forms of government, and in the common ſtyle of law, appears totally abſolute and ſovereign; nor does the real ſpirit of the conſtitution, as it has ever diſcovered itſelf in practice, fall much ſhort of theſe appearances. The parliament is created by his will; by his will it is diſſolved. 'Tis his will alone, tho' at the deſire of both houſes, which gives authority to laws. To all foreign nations, the majeſty of the monarch ſeems to merit ſole attention and regard. And no ſubject, who has expoſed himſelf to royal indignation, can propoſe to live with ſafety in the kingdom; nor can he even leave it, according to law, without the conſent of his maſter. If a magiſtrate, invironed with ſuch power and ſplendor, ſhould conſider his authority as ſacred, and regard himſelf as the anointed of heaven, his pretenſions may bear a very favourable conſtruction. Or, allowing them to be merely pious frauds, we need not be ſurprized, that the ſame ſtratagem, which was practiſed by Minos, Numa, and the moſt celebrated legiſlators of antiquity, ſhould now, in theſe reſtleſs and inquiſitive times, be employed by the King of England. Subjects are not raiſed above that quality, tho' aſſembled in parliament. The ſame humble reſpect and deference is ſtill due to their prince. Tho' he indulges them in the privilege of laying before him their domeſtic grievances, with which they are ſuppoſed to be beſt acquainted, this warrants not their bold intruſion into each province of government. And, to every judicious examiner, it muſt appear, "That the "lines of duty are as much tranſgreſſed by a more independent and leſs reſpect-"ful exerciſe of acknowledged powers, as by the uſurpation of ſuch as are new "and unuſual."

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THE lovers of liberty throughout the nation, reaſoned after a very different manner. 'Tis in vain, ſaid they, that the King traces up the Engliſh government to its firſt origin, in order to repreſent the privileges of parliament as dependent and precarious: The preſcription and practice of ſo many ages, muſt, long ere this time, have given a ſanction to theſe aſſemblies, even tho' they had been derived from an origin no more dignified, than that which he aſſigns them. If the written records of the Engliſh nation, as aſſerted, repreſent parliaments to have ariſen from the conſent of monarchs; the principles of human nature, when we trace government a ſtep higher, muſt ſhew us, that monarchs themſelves owe all their authority to the voluntary ſubmiſſion of the people. But, in fact, no age can be ſhown, when the Engliſh government was altogether an unmixed monarchy: And if the privileges of the nation have, at any particular period, been overpowered by violent irruptions of foreign force or domeſtic uſurpation; the generous ſpirit of the people has ever ſeized the firſt opportunity of re-eſtabliſhing the an-

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tient government and conſtitution. Tho' in the ſtyle of the laws, and in the uſual forms of adminiſtration, the royal authority may be repreſented as ſacred and ſupreme; whatever is eſſential to the exerciſe of ſovereign and legiſlative power, muſt ſtill be regarded as equally divine and inviolable. Or, if any diſtinction be made in this reſpect, the preference is rather due to thoſe national councils, by whoſe interpoſition the exorbitances of tyrannical power are reſtrained, and that ſacred liberty is preſerved, which heroic ſpirits, in all ages, have deemed more precious than life itſelf. Nor is it ſufficient to ſay, that the mild and equitable adminiſtration of James, affords little occaſion, or no occaſion, of complaint. However moderate the exerciſe of his prerogative, however exact his obſervance of the laws and conſtitution; "if he founds his authority on arbitrary and dangerous principles, 'tis requiſite to watch him with equal care, and to oppoſe him "with equal vigour, as if he had indulged himſelf in all the exceſſes of cruelty "and tyranny."

AMIDST all theſe diſputes, the wiſe and moderate in the nation endeavoured to preſerve, as much as poſſible, an equitable neutrality between the oppoſite parties; and the more they reflected on the courſe of public affairs, the greater difficulty they found of fixing juſt ſentiments with regard to them. On the one hand, they regarded the very riſe of oppoſite parties as a happy prognoſtic of the eſtabliſhment of liberty; nor could they ever expect to enjoy, in a mixed government, ſo invaluable a bleſſing, without ſuffering that inconvenience, which in ſuch governments has ever attended it. But, when they conſidered, on the other hand, the neceſſary aims and purſuits of both parties, they were ſtruck with apprehenſion of the conſequences, and could diſcover no feaſible plan of accommodation between them. From long practice, the crown was now poſſeſſed of ſo exorbitant a prerogative, that it was not ſufficient for liberty to remain on the defenſive, or endeavour to ſecure the little ground, which was left her: It was become neceſſary to carry on an offenſive war, and to circumſcribe, within more narrow, as well as more exact bounds, the authority of the ſovereign. Upon ſuch provocation, it could not but happen, that the prince, however juſt and moderate, would endeavour to repreſs his opponents; and, as he ſtood upon the very brink of arbitrary power, it was to be feared, that he would, haſtily and unknowingly, paſs thoſe limits, which were not preciſely marked by the conſtitution. The turbulent government of England, ever fluctuating between privilege and prerogative, would afford a variety of precedents, which might be pleaded on both ſides. In ſuch delicate queſtions, the people muſt be divided: The arms of the ſtate were ſtill in their hands: A civil war muſt enſue; a civil war, where no party or both parties would juſtly bear the blame, and where the good and virtuous would ſcarce know what vows to form; were it not that liberty, ſo neceſſary to the perfection of human ſociety, would be ſufficient to byaſs their affections towards the ſide of its defenders.

CHAP.

CHAP. V.

Negotiations with regard to the marriage and the Palatinate.——Character of Buckingham.——Prince's journey to Spain.——Marriage treaty broken.——A parliament.——Return of Briſtol.——Rupture with Spain.——Treaty with France.——Mansfeldt's expedition.——Death of the King.——His character.

TO wreſt the Palatinate from the hands of the Emperor and the Duke of Bavaria, muſt always have been regarded as a very difficult taſk for the power of England, conducted by ſuch an unwarlike prince as James: It was plainly impoſſible, while the breach continued between him and the commons. The King's negotiations, therefore, had they been managed with ever ſo great dexterity, muſt now carry leſs weight with them; and it was eaſy to elude all his applications. When Lord Digby, his ambaſſador to the Emperor, had deſired a ceſſation of hoſtilities, he was referred to the Duke of Bavaria, who commanded the Auſtrian armies. The Duke of Bavaria told him, that it was entirely ſuperfluous to form any treaty for that purpoſe. *Hoſtilities are already ceaſed*, ſaid he; *and I doubt not but I ſhall be able to prevent their revival, by keeping firm poſſeſſion of the Palatinate, till a final agreement ſhall be concluded between the contending parties* *. Notwithſtanding this inſult, James endeavoured to reſume with the Emperor a treaty of accommodation; and he opened the negotiations at Bruſſels, under the mediation of the Archduke Albert, and, after his death, which happened about this time, under that of the Infanta: When the conferences were entered upon, it was found, that the powers of theſe princes to determine in the controverſy, were not ſufficient nor ſatisfactory. Schwartzenbourg, the imperial miniſter, was expected at London; and it was hoped, that he would bring more ample authority: His commiſſion referred entirely to the negotiation at Bruſſels. It was not difficult for the King to perceive, that his applications were purpoſely eluded by the Emperor; but as he had no choice of any other expedient, and it ſeemed the intereſt of his ſon-in-law to keep alive his pretenſions, he was ſtill contented to follow Ferdinand thro' all his ſhifts and evaſions. Nor was he entirely diſcouraged, even when the imperial diet at Ratiſbon, by the influence, or rather authority of the Emperor, tho' contrary to the proteſtation of Saxony and all the proteſtant princes and cities, had transferred the electoral dignity from the Palatine to the Duke of Bavaria.

1622. Negotiations with regard to the marriage and the Palatinate.

* Franklyn, p. 57. Ruſhworth, vol. i. p. 38.

MEAN

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MEAN while, the efforts made by Frederic for the recovery of his dominions were vigorous. Three armies were levied in Germany by his authority, under three commanders, Duke Chriſtian of Brunſwick, the Prince of Baden-Dourlach, and Count Mansfeldt. The two former generals were defeated by Count Tilly and the Imperialiſts: The third, tho' much inferior in force to his enemies, ſtill maintained the war; but with no equal ſupplies of money either from the Palatine or the King of England. It was chiefly by pillage and free quarters in the Palatinate, that he ſubſiſted his army. As the Auſtrians were regularly paid, they were kept in more exact diſcipline; and James became juſtly apprehenſive, leſt ſo unequal a conteſt, beſides ravaging the Palatine's hereditary dominions, would end in the total alienation of the people from their antient ſovereign, by whom they were plundered, and in an attachment to their new maſters, by whom they were protected *. He therefore wiſely perſuaded his ſon-in-law to diſarm, under colour of duty and ſubmiſſion to the Emperor: And accordingly, Mansfeldt was diſmiſſed from the Palatine's ſervice; and that famous general withdrew his army into the Low Countries, and there received a commiſſion from the ſtates of the United Provinces.

To ſhew how little account was made of James's negotiations abroad, there is a pleaſantry which is mentioned by all hiſtorians, and which, for that reaſon, ſhall have place here. In a farce, acted at Bruſſels, a courier was introduced carrying the doleful news, that the Palatinate would ſoon be wreſted from the houſe of Auſtria; ſo powerful were the ſuccours, which, from all quarters, were haſtening to the relief of the deſpoiled Elector: The King of Denmark had agreed to contribute to his aſſiſtance a hundred thouſand pickled herrings, the Dutch a hundred thouſand butter-boxes, and the King of England a hundred thouſand ambaſſadors. On other occaſions he was painted with a ſcabbard, but without a ſword; or with a ſword, which no body could draw, tho' ſeveral were pulling at it †.

IT was not from his negotiations with the Emperor or the Duke of Bavaria, that James expected any ſucceſs in his project of reſtoring the Palatine: His eyes were entirely turned towards Spain; and if he could effectuate his ſon's marriage with the Infanta, he doubted not, but that after ſo intimate a conjunction, this other point could eaſily be obtained. The negotiations of that court being naturally dilatory, it was not eaſy for a prince of ſo little penetration in buſineſs, to diſtinguiſh whether the difficulties, which occurred, were real or affected; and he was ſurprized, after negotiating five years, on ſo ſimple a demand, that he was not more advanced than at the beginning. The diſpenſation of Rome was requiſite for the marriage of the Infanta with a proteſtant prince; and the King of

* Parl. Hiſt. vol. v. p. 484. † Kennet, p. 749.

Spain, having undertaken to procure that diſpenſation, had thereby acquired the means of retarding at pleaſure, or of forwarding the marriage, and at the ſame time of concealing entirely his artifices from the court of England. Chap. V. 1622.

In order to remove all obſtacles, James diſpatched Digby, ſoon afterwards created Earl of Briſtol, as his ambaſſador to Philip IV. who had lately ſucceeded his father in the crown of Spain. He ſecretly employed Gage as his agent at Rome; and finding that the difference of religion was the principal, if not ſole difficulty which retarded the marriage, he reſolved to ſoften that objection as much as poſſible. He iſſued public orders for diſcharging all popiſh recuſants, who were impriſoned; and it was daily apprehended, that he would forbid, for the future, the execution of the penal laws enacted againſt them. For this ſtep, ſo oppoſite to the rigid ſpirit of his ſubjects, he took care to apologize; and he even endeavoured to aſcribe it to his great zeal for the reformed religion. He had been making applications, he ſaid, to all foreign princes for ſome indulgence to the diſtreſſed proteſtants; and he was ſtill anſwered by objections derived from the ſeverity of the Engliſh laws againſt catholics *. And indeed, it might probably occur to him, that, if the extremity of religious zeal was ever to abate among the chriſtian ſects, one of them muſt begin; and nothing would be more honourable for England, than to have led the way in ſentiments ſo wiſe and moderate.

Not only the religious puritans murmured at this tolerating meaſure of the King: The lovers of civil liberty were alarmed at ſo important an exertion of his prerogative. But among other dangerous articles of authority, the kings of England were, at that time, poſſeſſed of the diſpenſing power; at leaſt, were in the conſtant practice of exerciſing it. Beſides, tho' the royal prerogative in civil matters was then exorbitant, the princes, during ſome late reigns, had been accuſtomed to aſſume ſtill higher in eccleſiaſtical. And the King failed not to repreſent the toleration of catholics as a meaſure entirely of that nature.

By James's conceſſion in favour of the catholics, he obtained his end. The ſame religious motives, which had hitherto rendered the court of Madrid inſincere in all the ſteps taken with regard to the marriage, were now the chief cauſe of promoting it. By its means, it was there hoped, the Engliſh catholics would, for the future, enjoy eaſe and indulgence; and the Infanta would be the happy inſtrument of procuring to the church ſome tranquillity, after the many ſevere perſecutions which it had hitherto undergone. The Earl of Briſtol, a miniſter of vigilance and penetration, and who had formerly oppoſed all alliance with catholics †, was now fully convinced of the ſincerity of Spain; and he was ready to congratulate the King on the entire completion of all his views and projects ‡. A

* Franklyn, p. 69. Ruſhworth, vol. i. p. 63. † Ruſhworth, vol. i. p. 292. ‡ Ruſhworth, vol. i. p. 69.

daughter

Chap. V. 1622. daughter of Spain, whom he repreſents as extremely accompliſhed, would ſoon, he ſaid, arrive in England, and bring with her an immenſe fortune of two millions *, a ſum four times greater than Spain had ever before given with any princeſs. But what was of more importance to the King's honour and happineſs, Briſtol conſidered this match as an infallible prognoſtic of the Palatine's reſtoration; nor would Philip, he thought, ever have beſtowed his ſiſter and ſo large a fortune, under the proſpect of entering, next day, into a war with England. So exact was his intelligence, that the moſt ſecret councils of the Spaniards, he boaſts, had never eſcaped him †; and he found that they had, all along, conſidered the marriage of the Infanta and the reſtitution of the Palatinate as meaſures cloſely connected, or altogether inſeparable ‡. However little calculated James's character to extort ſo vaſt a conceſſion; however improper the meaſures which he had purſued for obtaining that end; the ambaſſador could not withſtand the plain evidence of facts, by which Philip now demonſtrated his ſincerity. Perhaps too, like a wiſe man, he conſidered, that reaſons of ſtate, which are ſuppoſed ſolely to influence the councils of monarchs, are not always the motives which there predominate; that the milder views of gratitude, honour, friendſhip, generoſity, are frequently able, among princes as well as private perſons, to counterbalance theſe ſelfiſh conſiderations; that the juſtice and moderation of James had been ſo conſpicuous in all theſe tranſactions, his reliance on Spain, his confidence in her friendſhip, that he had, at laſt, obtained the cordial alliance of that nation, ſo celebrated for honour and fidelity. Or if politics muſt ſtill be ſuppoſed the ruling motive of all public meaſures, the maritime power of England was ſo great, the Spaniſh dominions ſo divided, as might well induce the council of Philip to think, that a ſincere friendſhip with the maſters of the ſea could not be purchaſed by too many conceſſions §. And as James, during ſo many years, had been allured and ſeduced by hopes and proteſtations, his people enraged by delays and diſappointments; it would probably occur, that there was now no medium left between the moſt inveterate hatred and the moſt intimate alliance between the nations. Not to mention, that, as a new ſpirit began about this time to animate the councils of France, the friendſhip of England became every day more neceſſary to the greatneſs and ſecurity of the Spaniſh monarchy.

* It appears by Buckingham's narrative, that theſe two millions were of pieces of eight, and made 600,000 pounds ſterling: A very great ſum, and almoſt equal to all the ſums which the parliament, during the whole courſe of this reign, had hitherto beſtowed on the King.

† Ruſhworth, vol. i. p. 272.

‡ We find by private letters between Philip IV. and the Condé Olivarez, ſhown by the latter to Buckingham, that the marriage and reſtitution of the Palatinate were always conſidered by the court of Spain as inſeparable. See Franklyn, p. 71, 72. Ruſhworth, vol. i. p. 71, 280, 299, 300. Parl. Hiſt. vol. vi. p. 66. § Franklyn, p. 72.

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ALL meaſures being, therefore, agreed between the parties, nought was wanting but the diſpenſation from Rome, which might be conſidered as a mere formality *. The King, juſtified by ſucceſs, now exulted in his pacific councils, and boaſted of his ſuperior ſagacity and penetration; when all theſe flattering proſpects were blaſted by the temerity of a man, whom he had fondly exalted from a private condition to be the bane of himſelf, of his family, and of his people.

1623. Character of Buckingham.

EVER ſince the fall of Somerſet, Buckingham had governed, with an uncontroled ſway, both the court and nation; and could James's eyes have been opened, he had now full opportunity of obſerving how unfit his favourite was for the high ſtation to which he was raiſed. Some accompliſhments of a courtier he poſſeſſed: Of every talent of a miniſter he was utterly devoid. Headlong in his paſſions, and incapable equally of prudence and of diſſimulation: Sincere from violence rather than candor; expenſive from profuſion more than generoſity: A warm friend, a furious enemy; but without any choice or diſcernment in either: With theſe qualities he had early and quickly mounted to the higheſt rank; and partook at once of the inſolence which attends a fortune newly acquired, and the impetuoſity which belongs to perſons born in high ſtations, and unacquainted with oppoſition.

AMONG thoſe, who had experienced the arrogance of this overgrown favourite, the Prince of Wales himſelf had not been entirely ſpared; and a great coldneſs, if not an enmity, had, for that reaſon, taken place between them. Buckingham, deſirous of an opportunity, which might connect him with the Prince and overcome his averſion, and at the ſame time envious of the great credit acquired by Briſtol in the Spaniſh negotiation, bethought himſelf of an expedient, by which he might, at once, gratify both theſe inclinations. He repreſented to Charles, That perſons of his exalted ſtation were peculiarly unfortunate in their marriage, the chief circumſtance in life; and commonly received into their arms a bride, unknown to them, to whom they were unknown; not endeared by ſympathy, not obliged by ſervices; wooed by treaties alone, by negotiations, by political intereſts: That however accompliſhed the Infanta, ſhe muſt ſtill conſider herſelf as a melancholy victim of ſtate, and could not but think with averſion of that day when ſhe was to enter the bed of a ſtranger; and paſſing into a foreign country and a new family, bid adieu for ever to her father's houſe and to her native land: That it was in the Prince's power to ſoften all theſe rigours, and lay ſuch an obligation on her, as would attach the moſt indifferent temper, as would warm the coldeſt affections: That his journey to Madrid would be an unexpected gallantry, which would equal all the fictions of Spaniſh romance, and ſuiting the amorous and enterprizing character of that nation, muſt immediately introduce him to the Princeſs under the agreeable cha-

* Ruſhworth, vol. i. p. 66.

Chap. V. 1623. racter of a devoted lover and daring adventurer: That the negotiations with regard to the Palatinate, which had hitherto languiſhed in the hands of miniſters, would quickly be terminated by ſo illuſtrious an agent, ſeconded by the mediation and intreaties of the grateful Infanta: That the Spaniſh generoſity, moved by that unexampled truſt and confidence, would make conceſſions beyond what could be expected from political views and conſiderations: And that he would quickly return to the King with the glory of having re-eſtabliſhed the unhappy Palatine, by the ſame enterprize, which procured him the affections and the perſon of the Spaniſh Princeſs *.

THE mind of the young Prince, replete with candor, was inflamed by theſe generous and romantic ideas. He agreed to make application to the King for his approbation. They choſe the moment of his kindeſt and moſt jovial humour; and more by the earneſtneſs which they expreſſed, than by the force of their reaſons, they obtained a haſty and unguarded conſent to their undertaking. And having engaged his promiſe to keep their purpoſe ſecret, they left him, in order to make preparations for their journey.

No ſooner was the King alone, than his temper, more cautious than ſanguine, ſuggeſted very different views of the matter, and repreſented every difficulty and danger which could occur. He reflected, that, however the world might pardon this ſally of youth in the Prince, they would never forgive himſelf, who, at his years, and after his experience, could entruſt his only ſon, the heir of his crown, the prop of his age, to the diſcretion of foreigners, without ſo much as providing the frail ſecurity of a ſafe conduct in his favour: That, if the Spaniſh monarch was ſincere in his profeſſions, a few months muſt finiſh the treaty of marriage, and bring the Infanta into England; if he was not ſincere, the folly was ſtill more egregious of committing the Prince into his hands: That Philip, when poſſeſſed of ſo invaluable a pledge, might well riſe in his demands, and impoſe harder conditions of treaty: And that the temerity of this enterprize was ſo apparent, that the event, however proſperous, could never juſtify it; and if diſaſtrous, it would render himſelf infamous to his people, and ridiculous to all poſterity †.

TORMENTED with theſe reflections, ſo ſoon as the Prince and Buckingham returned for their diſpatches, he informed them of all the reaſons which had determined him to change his reſolution; and he begged them to deſiſt from ſo fooliſh an adventure. The Prince received the diſappointment with ſorrowful ſubmiſſion and ſilent tears: Buckingham preſumed to ſpeak in an imperious tone, which he had ever experienced to be prevalent over his too eaſy maſter. He told the King, that nobody, for the future, would believe any thing he ſaid, when he retracted ſo ſoon the promiſe, ſo ſolemnly given; that he plainly diſcerned this change of re-

* Clarendon, vol. i. p. 11, 12. † Id. p. 14.

ſolution

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ſolution to proceed from another breach of his word, in communicating the matter to ſome raſcal, who had furniſhed him with thoſe pitiful reaſons, which he had alleged, and he doubted not but he ſhould hereafter know who his counſellor had been; and that if he receded from what he had promiſed, it would be ſuch a diſobligation to the Prince, who had now ſet his heart upon the journey, after his Majeſty's approbation, that he could never forget it, nor forgive any man who had been the cauſe of it †.

THE King with great earneſtneſs, fortified by many oaths, made his apology, by denying, that he had communicated the matter to any man; and finding himſelf aſſailed, as well by the boiſterous importunities of Buckingham, as by the warm entreaties of his ſon, whoſe applications had hitherto, on other occaſions, been always dutiful, never earneſt; he had again the weakneſs to aſſent to their purpoſed journey. It was agreed, that Sir Francis Cottington alone, the Prince's ſecretary, and Endymion Porter, gentleman of his bed-chamber, ſhould accompany them; and the former being at that time in the anti-chamber, he was immediately called in by the King's orders.

JAMES told Cottington, that he had always been an honeſt man, and therefore he was now to truſt him in an affair of the higheſt importance, which he was not, upon his life, to diſcloſe to any man whatever. "Cottington, added he, here "is baby Charles and Stenny" (theſe ridiculous appellations he uſually gave to the Prince and Buckingham) "who have a great mind to go poſt into Spain, and fetch "home the Infanta: They will have but two more in their company, and have "choſen you for one. What think you of the journey?" Sir Francis, who was a prudent man, and had reſided ſome years in Spain as the King's agent, was ſtruck with all the obvious objections to ſuch an enterprize, and ſcrupled not to declare them. The King threw himſelf upon his bed, and cried, *I told you this before*; and fell into new paſſion and lamentation, complaining that he was undone, and ſhould loſe baby Charles.

THE Prince ſhowed by his countenance, that he was extremely diſſatisfied with Cottington's diſcourſe; but Buckingham broke into an open paſſion againſt him. The King, he told him, aſked him only of the journey and of the manner of travelling; particulars, of which he might be a competent judge, having gone the road ſo often by poſt; but that he, without being called to it, had the preſumption to give his advice upon matters of ſtate and againſt his maſter, which he ſhould repent ſo long as he lived. A thouſand other reproaches he added, which put the poor King into a new agony in behalf of a ſervant, who, he foreſaw, would ſuffer for anſwering him honeſtly. Upon which he ſaid with ſome commotion: *Nay, by God, Stenny, you are much to blame for uſing him ſo: He anſwered me directly to the*

† Clarendon, vol. i. p. 16.

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queſtion which I aſked him, and very honeſtly and wiſely; and yet, you know, he ſaid no more, than I told you before he was called in. However, after all this paſſion on both ſides, James renewed his conſent; and proper directions were given for the journey. Nor was he now at any loſs to diſcover, that the whole intrigue was originally contrived by Buckingham, as well as purſued violently by his ſpirit and impetuoſity.

THESE circumſtances, which ſo well characterize the perſons, ſeem to have been related by Cottington to Lord Clarendon, from whom they are here tranſcribed; and tho' minute, are not undeſerving of a place in hiſtory.

THE Prince and Buckingham, with their two attendants, and Sir Richard Graham, maſter of horſe to Buckingham, paſſed diſguiſed and undiſcovered thro' France; and they even ventured into a court-ball at Paris, where Charles ſaw the Princeſs Henrietta, whom he afterwards eſpouſed, and who was, at that time, in the bloom of youth and beauty. In eleven days after their departure from London, they arrived at Madrid; and ſurprized every body by a ſtep ſo little uſual among great princes. The Spaniſh monarch immediately paid Charles a viſit, expreſſed the utmoſt gratitude for the confidence repoſed in him, and made warm proteſtations of a correſpondent confidence and friendſhip. By the moſt ſtudied civilities, he ſhowed the reſpect, which he bore his royal gueſt. He gave him a golden key, which opened all his apartments, that the Prince might, without any introduction, have acceſs to him at all hours: He took the left hand of him on every occaſion, except in the apartments aſſigned to Charles; for there, he ſaid, the Prince was at home: Charles was introduced into the palace with the ſame pomp and ceremony which attended the Kings of Spain on their coronation: The council received public orders to obey him as the King himſelf: Olivarez himſelf, tho' a grandee of Spain, who are always covered before their own King, would not put on his hat in the Prince's preſence *: All the priſons of Spain were thrown open, and all the priſoners received their freedom, as if the event, the moſt honourable and moſt fortunate, had happened to the monarchy †: And every ſumptuary law with regard to apparel was ſuſpended during his reſidence in Spain. The Infanta, however, was only ſhown to her lover in public; the Spaniſh ideas of decency being ſo ſtrict, as not to allow of any more intercourſe, till the arrival of the diſpenſation ‡.

7th of March.

The Prince's journey to Spain.

THE point of honour was carried ſo far by that generous people, that no attempt was made, on account of the advantage, which they had acquired, of impoſing any harder conditions of treaty: Their pious zeal only prompted them, on one occaſion, to deſire more conceſſions in the religious articles; but, on the oppoſition of Briſtol, accompanied with ſome reproaches, they immediately deſiſted.

* Franklyn, p. 73. † Id. p. 74. ‡ Ruſhworth, vol. i. p. 77.

The

The Pope, however, hearing of the Prince's arrival in Madrid, tacked ſome new clauſes to the diſpenſation *; and it became neceſſary to tranſmit the articles to London, that the King might there ratify them. This treaty, which was made public, conſiſted of ſeveral articles, chiefly regarding the exerciſe of the catholic religion by the Infanta and her family. Nothing could reaſonably be found fault with, except one article, in which the King promiſed, that the children ſhould be educated by the Princeſs, till ten years of age. This condition could not be inſiſted on, but with a view of ſeaſoning their minds with catholic prejudices; and tho' ſo tender an age ſeemed little ſuſceptible of theological tenets, yet the ſame reaſon, which made the Pope inſert that article, ſhould have induced the King to reject it. Chap. V. 1623.

Besides the public treaty, there were ſeparate articles, privately ſworn to by the King; in which he promiſed to ſuſpend the penal laws enacted againſt catholics, to procure a repeal of them in parliament, and to grant a toleration for the exerciſe of the catholic religion in private houſes †. Great murmurs, we may believe, would have ariſen againſt theſe articles, had they been made known to the public; ſince we find it to have been imputed as an enormous crime to the Prince, that, having received, about this time, a very civil letter from the Pope, he was induced to return a very civil anſwer ‡.

Mean while Gregory XV. who granted the diſpenſation, died; and Urban VIII. was choſen in his place. Upon this event, the nuncio refuſed to deliver the diſpenſation, till it ſhould be renewed by Urban; and that crafty pontiff delayed the ſending a new diſpenſation, in hopes, that, during the Prince's reſidence in Spain, ſome expedient might be fallen upon to operate his converſion. The King of England, as well as the Prince, became impatient. On the firſt hint, Charles obtained permiſſion to return; and Philip graced his departure with all the circumſtances of elaborate civility and reſpect, which had attended his arrival. He even erected a pillar, on the ſpot where they took leave of each other, as a monument of mutual friendſhip: and the Prince, having ſworn to the obſervance of all the articles, entered on his journey, and embarked on board the Engliſh fleet at St. Andero.

The character of Charles, compoſed of decency, reſerve, modeſty, ſobriety; virtues ſo agreeable to the manners of the Spaniards; the unparalleled confidence, which he had repoſed in their nation; the romantic gallantry, which he had practiſed towards their princeſs; all theſe circumſtances, joined to his youth and advantageous figure, had endeared him to the whole court of Madrid, and had impreſſed the moſt favourable ideas of him ‖. But, in the ſame proportion, that the

* Ruſhworth, vol. i. p. 84. † Franklyn, p. 80. Ruſhworth, vol. i. p. 89. Kennet, p. 769.
‡ Ruſhworth, vol. i. p. 82. Franklyn, p. 77. ‖ Franklyn, p. 80. Ruſhworth, vol. i. p. 103.

Prince

Chap. V. 1623. Prince was beloved and esteemed, was Buckingham despised and hated. His behaviour, composed of English familiarity and French vivacity; his sallies of passion, his indecent freedoms with the Prince, his dissolute pleasures, his arrogant, impetuous temper, which he neither could, nor cared to disguise; qualities, like these, could, most of them, be esteemed no where, but to the Spaniards were the objects of peculiar aversion *. They could not conceal their surprize, that such a youth could intrude into a negotiation, now conducted to a period, by so accomplished a minister as Bristol, and could assume to himself all the merit of it. They lamented the Infanta's fate, who must be approached by a man, whose temerity seemed to respect no laws, divine or human †. And when they observed, that he had the imprudence to insult the Condé Duke of Olivarez, their prime minister; every one, who was ambitious of paying court to the Spanish, became desirous of showing a contempt for the English favourite.

The Duke of Buckingham told Olivarez, that his own attachment to the Spanish nation and to the King of Spain was extreme; that he would contribute to every measure, which could cement the friendship between England and them; and that his peculiar ambition would be to facilitate the Prince's marriage with the Infanta. But, he added, with a sincerity, equally insolent and indiscreet, *With regard to you, Sir, in particular, you must not consider me as your friend, but must ever expect from me all possible enmity and opposition.* The Condé Duke replied, with a becoming dignity, that he very willingly accepted of what was proferred him: And on these terms the favourites parted ‡.

Buckingham, sensible how odious he was become to the Spaniards, and dreading the influence, which that nation would naturally acquire after the arrival of the Infanta, resolved to employ all his credit, in order to prevent the marriage. By what arguments he could engage the Prince to offer such an insult to the Spanish nation, from whom he had met with such generous treatment; by what colours he could disguise the ingratitude, and imprudence of such a measure; these are totally unknown to us. It only appears, that his impetuous and domineering character had acquired, what it ever after maintained, a total ascendant over the gentle and modest temper of Charles; and, when the Prince left Madrid, he was firmly determined, notwithstanding all his professions, to break off the treaty with Spain.

It is not likely, that Buckingham prevailed so easily with James to abandon a project, which, during so many years, had been the object of all his wishes, and which he had now unexpectedly conducted to a happy period ‖. A rupture with Spain, the loss of two millions, were prospects little agreeable to this pacific and

* Rushworth, vol. i. p. 101. † Clarendon, vol. i. p. 36.
‡ Rushworth, vol. i. p. 103. Clarendon, vol. i. p. 37. ‖ Hacket's Life of Williams.

indigent monarch: But finding his only ſon bent againſt a match, which had always been oppoſed by his people and his parliament, he yielded to difficulties, which he had not courage nor ſtrength of mind ſufficient to reſiſt. The Prince, therefore, and Buckingham, on their arrival at London, aſſumed entirely the direction of the negotiation; and it was their buſineſs to ſeek for pretences by which they could give a colour to their intended violation of treaty. Chap. V. 1623.

THO' the reſtitution of the Palatinate had ever been conſidered by James as a natural or neceſſary conſequence of the Spaniſh alliance, he had always forbid his miniſters to inſiſt on it as a preliminary article to the concluſion of the marriage-treaty. He conſidered, that that principality was now entirely in the hands of the Emperor and the Duke of Bavaria; and that it was no longer in the King of Spain's power, by a ſingle ſtroke of his pen, to reſtore it to the antient proprietor. The ſtrict alliance of Spain with theſe Princes would engage Philip, he thought, to ſoften ſo diſagreeable a demand by every art of negotiation; and many articles muſt, of neceſſity, be adjuſted, before ſuch an important point could be effectuated. It was ſufficient, in James's opinion, if the ſincerity of the Spaniſh court could, for the preſent, be aſcertained; and, dreading farther delays of the marriage, ſo long wiſhed for, he was reſolved to truſt the Palatine's full reſtoration to the event of future councils and deliberations *.

THIS whole ſyſtem of politics, Buckingham now reverſed; and he overturned every ſuppoſition, upon which the treaty had hitherto been conducted. After many fruitleſs artifices were employed to delay or prevent the eſpouſals; Briſtol received poſitive orders not to deliver the proxy, which had been left in his hands, nor to finiſh the marriage, till ſecurity was given for the full reſtitution of the Palatinate †. Philip underſtood this language. He had been acquainted with the diſguſt received by Buckingham; and deeming him a man, capable of ſacrificing, to his own ungovernable paſſions, the greateſt intereſts of his maſter and of his country, he had expected that the unbounded credit of that favourite would be employed to embroil the two nations. Determined, however, to throw the blame of the rupture entirely on the Engliſh, he delivered into Briſtol's hand a written promiſe, by which he bound himſelf to procure the reſtoration of the Palatine, either by perſuaſion, or by every other poſſible means; and, when he found that that conceſſion gave no ſatisfaction, he ordered the Infanta to lay aſide the title of Princeſs of Wales, which ſhe bore after the arrival of the diſpenſation from Rome, and to drop the ſtudy of the Engliſh language ‡. And thinking that ſuch raſh councils as now governed the court of England would not ſtop at the breach of the marriage-treaty, he ordered preparations for war immediately to be made throughout all his dominions ‖. Marriage-treaty broken.

* Parl. Hiſt. vol. vi. p. 57. † Ruſhworth, vol. i. p. 105. Kennet, p. 776.
‡ Franklyn, p. 80. Ruſhworth, vol. i. p. 112. ‖ Ruſhworth, vol. i. p. 114.

THUS

Chap. V. 1623. THUS James, having, by means, inexplicable from all the rules of politics, conducted, ſo near an honourable end, the marriage of his ſon and the reſtoration of his ſon-in-law, failed at laſt of his purpoſe, by means equally unaccountable.

BUT, tho' the expedients, already uſed by Buckingham, were ſufficiently inglorious, both for himſelf and for the nation; it was neceſſary for him, ere he could fully effect his purpoſe, to employ artifices ſtill more ſhameful and diſhonourable.

1624. THE King, having broke with Spain, was obliged to concert new meaſures; and, without the aſſiſtance of parliament, no effectual ſtep of any kind could be taken. The benevolence, which, during the interval, had been rigorouſly exacted for the recovery of the Palatinate, tho' levied for ſo popular an end, had procured the King leſs money than ill-will from his ſubjects *. Whatever diſcouragements,

A parliament. therefore, he might receive from his ill agreement with former parliaments, there was a neceſſity of ſummoning once more this aſſembly; and, it might be hoped, that the Spaniſh alliance, which gave ſuch umbrage, being abandoned, the com-

19th of Feb. mons would now be better ſatisfied with the King's adminiſtration. In his ſpeech to the houſes, James dropped ſome hints of the cauſes of complaint which he had againſt Spain; and he graciouſly condeſcended to aſk the parliament's advice, which he had ever before rejected, with regard to the conduct of ſo important an affair as his ſon's marriage †. Buckingham delivered, to a committee of lords and commons, a long narrative, which he pretended to be true and compleat, of every ſtep taken in the negotiations with Philip: But partly by the ſuppreſſion of ſome facts, partly by the falſe colouring laid on others, this narrative was calculated intirely to miſlead the parliament, and to throw on the court of Spain the reproach of artifice and inſincerity. He ſaid, that, after many years negotiation, the King found not himſelf any nearer his purpoſe; and that Briſtol had never brought the treaty beyond general profeſſions and declarations: That the Prince, doubting the good intentions of Spain, reſolved at laſt to take a journey to Madrid, and put the matter to the utmoſt trial: That he there found ſuch artificial dealing as made him conclude all the ſteps taken towards the marriage to be falſe and deceitful: That the reſtitution of the Palatinate, which had ever been regarded by the King as an eſſential preliminary, was not ſeriouſly intended by Spain: And that, after enduring much ill-uſage, the Prince was obliged to return to England, without any hopes, either of obtaining the Infanta, or of reſtoring the Elector Palatine ‡.

* To ſhow by what violent meaſures this benevolence was raiſed, Johnſtone tells us, in his *Rerum Britannicarum hiſtoria*, that Barnes, a citizen of London, was the firſt who refuſed to contribute any thing; upon which, the treaſurer ſent him word, that he muſt immediately prepare himſelf to carry by poſt a diſpatch into Ireland. The citizen was glad to make his peace by paying a hundred pounds; and no one durſt afterwards refuſe the benevolence required. See farther Coke, p. 80.

† Franklyn, p. 79. Ruſhworth, vol. i. p. 115, Kennet, p. 778.

‡ Franklyn, p. 89, 90, 91, &c. Ruſhworth, vol. i. p. 119, 120, &c. Parl. Hiſt. vol. vi. p. 20, 21, &c.

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THIS narrative, which, considering the importance of the occasion, and the solemnity of that assembly, to which it was delivered, deserves great blame, was yet vouched for truth by the Prince of Wales, who was present; and the King himself lent it, indirectly, his authority, by telling the parliament, that it was by his order Buckingham laid the whole affair before them. The conduct of these princes it is difficult fully to excuse. 'Tis in vain to plead the youth and inexperience of Charles; unless his inexperience and youth, as is probable *, if not certain, really led him into error, and made him swallow all the falsities of Buckingham. And, tho' the King was here hurried from his own measures by the impetuosity of others; nothing should have induced him to prostitute his character, and vouch the impostures, at least, false colourings, of his favourite, of which he had so good reason to entertain a suspicion †.

BUCKINGHAM'S narrative, however artfully disguised, contained yet so many contradictory circumstances as were sufficient to open the eyes of all reasonable men; but it concurred so well with the passions and prejudices of the parliament, that no scruple was made of immediately adopting it ‡. Charmed with having obtained at last the opportunity, so long wished for, of going to war with papists, they little thought of future consequences; but immediately advised the King to break off both treaties with Spain, as well that which regarded the marriage, as that for the restitution of the Palatinate §. The people, ever greedy of war, till they suffer by it, displayed their triumph at these violent measures by public bonefires and rejoicings, and by insults on the Spanish ministers. Buckingham was now the favourite of the public and of the parliament. Sir Edward Coke, in the house of commons, called him the Saviour of the nation ‖. Every place resounded with his praises. And he himself, intoxicated by a popularity, which he enjoyed so little time, and which he so little deserved, violated all duty to his indulgent master, and entered into cabals with the puritan members, who had ever opposed the royal authority. He even encouraged schemes for abolishing

* The moment the Prince embarked at St. Andero's, he said, to those about him, that it was folly in the Spaniards to use him so ill, and allow him to depart: A proof that the Duke had made him believe they were insincere in the affair of the marriage and the Palatinate: For, as to his reception, in other respects, it had been altogether unexceptionable: Besides, had not the Prince believed the Spaniards to be insincere, he had no reason to quarrel with them; tho' Buckingham had. It appears, therefore, that Charles himself must have been deceived. The multiplied delays of the dispensation, tho' they arose from accident, afforded Buckingham a plausible pretext for charging the Spaniards with insincerity.

† It must, however, be confessed, that the King afterwards warned the house not to take Buckingham's narrative for his, tho' it was laid before them by his order. Parl. Hist. vol. vi. p. 104. The King was probably ashamed to have been carried so far by his favourite.

‡ Parl. Hist. vol. vi. p. 75. § Franklyn, p. 93. Rushworth, vol. i. p. 128. Parl. Hist. vol. vi p. 103. ‖ Clarendon, vol. i. p. 6.

Chap. V. 1624. the order of biſhops, and ſelling the dean and chapter lands, in order to defray the expences of a Spaniſh war. And the King, tho' he ſtill entertained projects for temporizing, and for forming an accommodation with Spain, was ſo borne down by the torrent of popular prejudices, conducted and increaſed by Buckingham, that he was at laſt obliged, in a ſpeech to parliament, to declare in favour of hoſtile meaſures, if they would engage to ſupport him *. Doubts of their ſincerity in this reſpect; doubts which the event ſhowed not to be ill-grounded; had probably been one cauſe of his former pacific and dilatory meaſures.

In his ſpeech on this occaſion, the King began with lamenting his misfortune, that, having ſo long valued himſelf on the epithet of the pacific monarch, he ſhould now, in his old age, be obliged to exchange the bleſſings of peace for the inevitable calamities of war. He repreſented to them the immenſe and continued expence, requiſite for military armaments; and beſides ſupplies, from time to time, as they ſhould become neceſſary, he demanded a vote of ſix ſubſidies and twelve fifteenths, as a proper ſtock before the commencement of hoſtilities. He told them of his intolerable debts and burthens, chiefly contracted by the ſums remitted to the Palatine †; but he added, that he did not inſiſt on any ſupply for his own relief, and that it was ſufficient for him, if the honour and ſecurity of the public were provided for. To remove all ſuſpicion, he, who had ever ſtrenuouſly maintained his prerogative, and even extended it into ſome points eſteemed doubtful, now made a moſt imprudent conceſſion, of which the conſequences might have proved fatal to royal authority: He voluntarily offered, that the money voted ſhould be paid into a committee of parliament, and ſhould be iſſued by them, without being intruſted to his management ‡. The commons willingly accepted of this conceſſion, ſo unprecedented in an Engliſh monarch; they voted him only three ſubſidies and three fifteenths §; and they took no notice of the complaints, which he made of his own wants and neceſſities.

Advantage was alſo taken of the preſent good agreement between the King and parliament, in order to paſs the bill againſt monopolies, which had formerly been encouraged by the King, but which had failed by the rupture between him

* Franklyn, p. 94, 95. Ruſhworth, vol. i. p. 129, 130.

† Among other particulars, he mentions a ſum of 80,000 pounds borrowed from the King of Denmark. In a former ſpeech to the parliament, he told them that he had expended 500,000 pounds in the cauſe of the Palatine, beſides the voluntary contribution given him by the people. See Franklyn, p. 50. But what is more extraordinary, the treaſurer, in order to ſhow his own good ſervices, boaſts to the parliament, that, by his contrivance, 60,000 pounds had been ſaved on the head of exchange in the ſums remitted to the Palatinate. This ſeems very great, nor is it conceivable whence the King could procure ſuch vaſt ſums as would require a ſum ſo great to be paid in exchange. From the whole, however, it appears, that the King had been far from neglecting the intereſts of his daughter and ſon-in-law, and had even gone much beyond what his narrow revenue could afford.

‡ Ruſhworth, vol. i. p. 137. § Leſs than 300,000 pounds.

and

and the laſt houſe of commons. This bill was conceived in ſuch terms as to render it merely declarative; and all monopolies were condemned, as contrary to law and to the known liberties of the people. It was there ſuppoſed, that every ſubject of England had intire power to diſpoſe of his own actions, provided he did no injury to any of his fellow ſubjects; and that no prerogative of the King, no power of any magiſtrate, nothing but the authority alone of laws, could reſtrain that unlimited freedom. The full proſecution of this noble principle into all its neceſſary conſequences, has, at laſt, thro' many conteſts, produced that ſingular and happy government, which at preſent we enjoy *. Chap. V. 1624.

The houſe of commons alſo corroborated, by a new precedent, the important power of impeachment, which, two years before, they had exerciſed, in the caſe of Chancellor Bacon, and which had lain dormant for more than a century before, except when they ſerved as inſtruments of royal vengeance. The Earl of Middleſex had been raiſed by Buckingham's intereſt, from the rank of a London merchant, to be Lord high treaſurer of England; and, by his activity and addreſs, ſeemed not unworthy of that preferment. But, having incurred the diſpleaſure of his patron, by ſcrupling or refuſing ſome demands of money, during the Prince's reſidence in Spain, that favourite vowed revenge, and employed all his credit among the commons to procure an impeachment of the treaſurer. The King was extremely diſſatisfied with this meaſure, and propheſied to the Prince and Duke, that they would live to have their fill of parliamentary proſecutions †. In a ſpeech to the parliament, he endeavoured to apologize for Middleſex, and to ſoften the accuſation againſt him ‡. The charge, however, was ſtill maintained by the commons; and the treaſurer was found guilty by the peers, tho' the miſdemeanors proved againſt him, were neither numerous nor important. The accepting two preſents, of five hundred pounds a-piece, for the paſſing two patents, was the ar-

* How little this principle had prevailed, during any former period of the Engliſh government, particularly during the laſt reign, which was certainly not ſo perfect a model of liberty as ſome writers would repreſent it, will eaſily appear from many paſſages in the hiſtory of that reign. But the ideas of men were much changed, during about twenty years of a gentle and peaceful adminiſtration. The commons, tho' James, of himſelf, had recalled all patents of monopolies, were not contented without a law againſt them, and a declarative law too; which was gaining a great point, and eſtabliſhing principles very favourable to liberty: But they were extremely grateful, when Elizabeth, upon petition, (after having once refuſed their requeſts) recalled a few of the moſt oppreſſive patents; and employed ſome ſoothing expreſſions towards them.

The parliament had ſurely reaſon, when they confeſſed, in the ſeventh of James, that he allowed them more freedom of debate, than ever was indulged by any of his predeceſſors. His indulgence in this particular, joined to his eaſy temper, was probably one cauſe of the great power aſſumed by the commons. Monſieur de la Boderie in his diſpatches, vol. i. 449, mentions the liberty of ſpeech in the houſe of commons as a new practice.

† Clarendon, vol. i. p. 23. ‡ Parl. Hiſt. vol. vi. p. 191.

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ticle of greateſt weight. His ſentence was, to be fined 50,000 pounds for the King's uſe, and to ſuffer all the other penalties formerly inflicted upon Bacon. The fine was afterwards remitted by the Prince, when he mounted the throne.

THIS ſeſſion, an addreſs was alſo made, very diſagreeable to the King, craving the ſevere execution of the laws againſt catholics. His anſwer was gracious and condeſcending †; tho' he declared againſt perſecution; as being an improper meaſure for the ſuppreſſion of any religion; according to the received maxim, *That the blood of the martyrs was the ſeed of the church.* He alſo condemned an intire indulgence of the catholics; and ſeemed to repreſent a middle courſe, as the moſt humane and moſt politic. He went ſo far as even to affirm, with an oath, that he never had entertained any thought of granting a toleration to theſe religioniſts ‡. The liberty of exerciſing their religion in private houſes, which he had ſecretly agreed to in the Spaniſh treaty, he did not eſteem deſerving that name; and it was probably by means of this evaſion, he thought that he had ſaved his honour. And as Buckingham, in his narrative ‖, confeſſed, that the King had agreed to a temporary ſuſpenſion of the penal laws againſt the catholics, which he diſtinguiſhed from a toleration, a term at that time extremely odious; James deemed his meaning to be ſufficiently explained, and feared not any reproach of falſhood or duplicity, on account of this aſſeveration. After all theſe tranſactions, the parliament was prorogued by the King, who let fall ſome hints, tho' in gentle terms, of the ſenſe which he entertained of their unkindneſs, in not ſupplying his neceſſities §.

29th of May.

JAMES, unable to reſiſt ſo ſtrong a combination as that of his people, his parliament, his ſon, and his favourite, had been compelled to embrace meaſures, for which, from temper as well as judgment, he had ever entertained a moſt ſettled averſion. Tho' he diſſembled his reſentment, he began to eſtrange himſelf from Buckingham, to whom he aſcribed all thoſe violent councils, and whom he conſidered as the author, both of the Prince's journey into Spain, and of the breach of the marriage-treaty. The arrival of Briſtol, he impatiently longed for; and it was by the aſſiſtance of that miniſter, whoſe wiſdom he reſpected, and whoſe views he approved, that he hoped, in time, to extricate himſelf from his preſent difficulties.

Return of Briſtol.

DURING the Prince's abode in Spain, that able negotiator had ever oppoſed, tho' unſucceſsfully, to the impetuous meaſures, ſuggeſted by Buckingham, his own wiſe and well-tempered councils. After Charles's departure, upon the firſt appearance of a change of reſolution, he ſtill interpoſed his advice, and ſtrenuouſly inſiſted on the ſincerity of the Spaniards in the conduct of the treaty, as well as the

† Franklyn, p. 101, 102.
‡ See farther, Franklyn, p. 87.
‖ Parl. Hiſtory, vol. vi. p. 37.
§ Franklyn, p. 103.

advantages,

advantages, which England muſt reap from the completion of it. Enraged to find, that his ſucceſsful and ſkilful labours ſhould be rendered abortive by the levities and caprices of an inſolent minion, he would underſtand no hints; and nothing but expreſs orders from his maſter could engage him to make that demand, which, he was ſenſible, would put a final period to the treaty. He was not, therefore, ſurprized to hear, that Buckingham had declared himſelf his open enemy, and both before the council and parliament, had thrown out many ſcandalous reflections againſt him. Upon the firſt order, he prepared for leaving Madrid; and he was conducted to the King of Spain and the Condé Duke, in order to fulfil the ceremonial of his departure. Chap. V. 1624.

PHILIP, by the mouth of his miniſter, expreſſed much regret, that Briſtol's ſervices ſhould meet with ſo unworthy a reward, and that his enemies ſhould ſo far have prevailed as to infuſe prejudices into his maſter and his country againſt a miniſter, who had ſo faithfully done his duty to both. He entreated him to fix his abode in Spain, rather than expoſe himſelf to the inveterate malice of his rival and the ungovernable fury of the people. He offered him every advantage of rank and fortune, to ſoften the rigours of baniſhment; and, leſt his honour ſhould ſuffer by the deſertion of his native country, the monarch promiſed to confer all theſe advantages, with a public declaration, that they were beſtowed merely for his fidelity to the truſt committed to him. And he added, that he eſteemed ſuch a conduct of importance to his own ſervice; that all his miniſters, obſerving his regard to virtue even in a ſtranger, might be the more animated to exert their fidelity towards ſo generous a maſter.

THE Earl of Briſtol, while he expreſſed the utmoſt gratitude for this princely offer, thought himſelf obliged to decline the acceptance of it. He ſaid, that nothing would more confirm all the calumnies of his enemies than his remaining at Madrid, and his receiving honour and preferment from his catholic majeſty; that the higheſt dignity of the Spaniſh monarchy, however valued, would be but an unequal compenſation for the loſs of his honour, which he muſt ſacrifice to the obtaining it; that he truſted to his own innocence for protection againſt all the fury of popular prejudice; and that his maſter was ſo juſt and gracious, that, however he might, for a time, be ſeduced by calumny, he would ſurely afford him an opportunity of defending himſelf, and would in the end reſtore him to his favour and good opinion.

So magnanimous an anſwer increaſed the eſteem which Philip had conceived of the ambaſſador. That prince begged him, at leaſt, to accept of a preſent of 10,000 ducats, which might be requiſite for his ſupport, till he could diſſipate the prejudices contracted againſt him; and he promiſed, that this compliance ſhould for ever

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ever remain a ſecret to all the world, and ſhould never come to the knowlege of his maſter. *There is one perſon*, replied the generous Engliſhman, *who muſt neceſſarily know it: He is the Earl of Briſtol, who will certainly reveal it to the King of England* *.

NOTHING could be of greater conſequence to Buckingham, than to keep Briſtol at a diſtance both from the King and the parliament; leſt the power of truth, enforced by ſo powerful a ſpeaker, ſhould open ſcenes, which were but ſuſpected by the former, and of which the latter had as yet entertained no manner of jealouſy. He applied therefore to James, whoſe weakneſs, diſguiſed to himſelf under the appearance of fineſſe and diſſimulation, was now become abſolutely incurable. A warrant for ſending Briſtol to the Tower was iſſued immediately upon his arrival in England †; and tho' he was ſoon releaſed from that confinement, yet orders were carried him from the King, to retire to his country ſeat, and to abſtain from all attendance on parliament. He obeyed; but loudly demanded an opportunity of juſtifying himſelf, and of laying his whole conduct before his maſter. On all occaſions, he proteſted his innocence, and threw on his enemy the blame of every miſcarriage. Buckingham, and, at his inſtigation, the Prince, declared, that they would be reconciled to Briſtol, if he would but acknowlege his errors and ill conduct: But the ſpirited nobleman, jealous of his honour, refuſed to buy favour at ſo high a price. James had the equity to ſay, that the inſiſting on that condition was a ſtrain of unexampled tyranny: But Buckingham ſcrupled not to aſſert, with the utmoſt preſumption, that neither the King, the Prince, nor himſelf were, as yet, ſatisfied of Briſtol's innocence ‡.

WHILE the attachment of the Prince to Buckingham, while the timidity of James, or the ſhame of changing his favourite, kept the whole court in awe; the Spaniſh ambaſſador, Inoioſa, endeavoured to open the King's eyes, and to cure his fears by inſtilling greater fears into him. He privately ſlipt into his hand a paper, and gave him a ſignal to read it alone. He there told him, that he was as much a priſoner at London as ever Francis I. was at Madrid; that the Prince and Buckingham had conſpired together, and had the whole court at their devotion; that cabals among the popular leaders in parliament were carrying on to the extreme prejudice of his authority; that the project was to confine him to ſome of his hunting ſeats, and to commit the whole adminiſtration of affairs to the management of Charles; and that it was neceſſary for him, by one vigorous effort, to vindicate his liberty, and to puniſh thoſe who had ſo long and ſo much abuſed his goodneſs and facility ‖.

* Franklyn, p. 86. Ruſhworth, vol. i. p. 113. † Ruſhw. vol. i. p. 145.
‡ Ruſhw. vol. i. p. 259. ‖ Id. vol, i. p. 144. Hacket's Life of Williams, Coke, p. 107.

WHAT

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WHAT credit James gave to this repreſentation does not appear. He only diſcovered ſome faint ſymptoms, which he inſtantly retracted, of diſſatisfaction with Buckingham. All his public meaſures, and all the alliances, into which he entered, were founded on the ſyſtem of enmity to the Auſtrian family, and of war to be carried on for the recovery of the Palatinate.

THE ſtates of the United Provinces, at this time, were governed by Maurice; and that aſpiring prince, ſenſible that his credit would languiſh during peace, had, on the expiration of the twelve years truce, renewed the war with the Spaniſh monarchy. His great capacity in the military art would have compenſated for the inferiority of his forces, had not the Spaniſh armies been commanded by Spinola, a general equally renowned for conduct, and more celebrated for enterprize and activity. In ſuch a ſituation, nothing could be more welcome to the republic than the proſpect of a rupture between James and the catholic King; and they flattered themſelves, as well from the natural union of intereſts between them and England, as from the influence of the preſent conjuncture, that powerful ſuccours would ſoon march to their relief. Accordingly, an army of ſix thouſand men was levied in England, and ſent over into Holland, commanded by four young Noblemen, Eſſex, Oxford, Southampton, and Willoughby, who were ambitious of diſtinguiſhing themſelves in ſo popular a cauſe, and of acquiring military experience under ſo renowned a captain as Maurice.

Treaty with France.

IT might reaſonably have been expected, that, as religious zeal had made the recovery of the Palatinate appear a point of ſuch vaſt importance in England; the ſame effect muſt have been produced in France, by the force merely of political views and conſiderations. While that principality remained in the hands of the houſe of Auſtria, the French dominions were ſurrounded on all ſides by the poſſeſſions of that ambitious family, and might be invaded by ſuperior forces from every quarter. It concerned the King of France therefore to prevent the peaceable eſtabliſhment of the Emperor in his new conqueſts; and both by the ſituation and greater power of his ſtate, he was better enabled than James to give ſuccour to the diſtreſſed Palatine. But tho' theſe views eſcaped not Louis, nor Cardinal Richelieu, who now began to acquire an aſcendant in the French court; that miniſter was determined to pave the way for his enterprizes by firſt ſubduing the Hugonots, and thence to proceed, by mature councils, to humble the houſe of Auſtria. The proſpect, however, of a conjunction with England was preſently embraced, and all imaginable encouragement was given to every propoſal for conciliating a marriage between Charles and the Princeſs Henrietta.

NOTWITHSTANDING the ſenſible experience, which James might have acquired, of the unſurmountable antipathy entertained by his ſubjects againſt all alliance with catholics, he ſtill perſevered in the opinion, that his ſon would be degraded, by receiving into his bed a princeſs of leſs than royal extraction. After the

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the rupture, therefore, with Spain, nothing remained but an alliance with France; and to that court he immediately applied himſelf *. The ſame allurements had not here place, which had ſo long entangled him in the Spaniſh negotiation: The portion promiſed was much inferior; and the peaceable reſtoration of the Palatine could not thence be expected. But James was afraid, leſt his ſon ſhould be altogether diſappointed of a bride; and therefore, as ſoon as the chriſtian King demanded, for the honour of his crown, the ſame terms which had been granted to the catholic, he was prevailed with to comply. And as the Prince, during his abode in Spain, had given a verbal promiſe to allow the Infanta the education of her children till the age of thirteen, this article was here inſerted in the treaty; and to that imprudence is generally imputed the preſent diſtreſſed condition of his poſterity. The court of England, however, it muſt be confeſſed, always pretended, even in their memorials to the French court, that all the favourable conditions granted to the catholics, were inſerted in the marriage treaty merely to pleaſe the Pope, and that their ſtrict execution, by an agreement with France, was ſecretly diſpenſed with †.

As much as the concluſion of the marriage treaty was acceptable to the King, as much were all the military enterprizes diſagreeable, both from the extreme difficulty of the undertaking, in which he was engaged, and from his own incapacity for ſuch a ſcene of action.

During the Spaniſh negotiation, Heidelberg and Manheim had been taken by the imperial forces; and Frankendale, tho' the garriſon was entirely Engliſh, was cloſely beſieged by them. Upon re-iterated remonſtrances from James, Spain interpoſed, and procured a ſuſpenſion of arms during eighteen months. But as Frankendale was the only place of Frederic's antient dominions, which continued in his hands, Ferdinand, being deſirous of withdrawing his forces from the Palatinate, and of leaving that ſtate in ſecurity, was unwilling that ſo important a fortreſs ſhould remain in the poſſeſſion of the enemy. To compromiſe all differences, it was agreed to ſequeſtrate it in the Infanta's hands as a neutral perſon; upon condition, that, upon the expiration of the truce, it ſhould be delivered to Frederic; tho' peace ſhould not, at that time, be concluded between him and

* Ruſhworth, vol. i. p. 152.

† Rymer, tom. xviii. p. 224. 'Tis certain that the young Prince of Wales, afterwards Charles II. had proteſtant governors from his early infancy; firſt the Earl of Newcaſtle, then the Marquis of Hertford. The King, in his memorial to foreign churches after the commencement of the civil wars, inſiſts on his care in educating his children in the proteſtant religion, as a proof that he was nowiſe inclined to the catholic. Ruſhworth, vol. v. p. 752. It can ſcarce, therefore, be queſtioned, but this article, which has ſo odd an appearance, was inſerted only to amuſe the Pope, and was never intended by either party to be executed.

Fer-

Ferdinand *. After the unexpected rupture with Spain, the Infanta, when James demanded the execution of the treaty, offered him peaceable poſſeſſion of Frankendale, and even promiſed a ſafe conduct for the garriſon thro' the Spaniſh Netherlands: But there was ſome territory of the empire interpoſed between her ſtate and the Palatinate; and for paſſage over that territory, no terms were ſtipulated †. By this chicane, which certainly had not been employed, if amity with Spain had been preſerved, the Palatine was totally diſpoſſeſſed of all his patrimonial dominions. Chap. V. 1624.

THE Engliſh nation, however, and James's warlike council, were not diſcouraged. It was ſtill determined to re-conquer the Palatinate; a ſtate lying in the midſt of Germany, poſſeſſed entirely by the Emperor and Bavaria, ſurrounded by potent enemies, and cut of from all communication with England. Count Mansfeldt was taken into pay; and an Engliſh army of 12,000 foot and 200 horſe was levied by a general preſs throughout the kingdom. During the negotiation with France, vaſt promiſes had been made, tho' in general terms, by the French miniſtry; not only, that a free paſſage ſhould be granted to the Engliſh troops, but alſo that powerful ſuccours ſhould join them in their march towards the Palatinate. In England, all theſe profeſſions were haſtily interpreted to be poſitive engagements. The troops, under Mansfeldt's command were embarked at Dover; but upon ſailing over to Calais, found no orders yet arrived for their admiſſion. After waiting in vain for ſome time, they were obliged to ſail towards Zealand; where no proper meaſures were yet concerted for their diſembarkation; and ſome ſcruples aroſe among the ſtates on account of the ſcarcity of proviſions. Mean while, a peſtilential diſtemper crept in among the Engliſh forces, ſo long cooped up in narrow veſſels. Half the army died while on board; and the other half, weakened by ſickneſs, appeared too ſmall a body to march into the Palatinate ‡. And thus ended this ill-concerted and fruitleſs expedition; the only diſaſter, which happened to England, during the proſperous and pacific reign of James. Mansfeldt's expedition. December. 1625.

THAT reign was now drawing towards a concluſion. With peace, ſo ſucceſsfully cultivated, and ſo paſſionately loved by this monarch, his life alſo terminated. This ſpring, he was ſeized with a tertian ague; and, when encouraged by his courtiers with the common proverb, that this diſtemper, during that ſeaſon, was health for a king, he replied, that the proverb was meant of a young king. After ſome fits, he found himſelf extremely weakened, and ſent for the Prince, whom he exhorted to bear a tender affection for his wife, but to preſerve a conſtancy in religion; to protect the Church of England; and to ex-

* Ruſhwo th, vol. i. p. 74. † Ruſhworth, vol. i. p. 151. ‡ Franklyn, p. 104. Ruſhworth, vol. i. p. 154. Dudgale, p. 24.

Chap. V. 1625. Death of the King.

tend his care towards the unhappy family of the Palatine *. With decency and courage, he prepared himſelf for his end; and he expired on the 27th of March, after a reign over England of twenty-two years and a few days; and in the fifty-ninth year of his age. His reign over Scotland was almoſt of equal duration with his life.

His character.

No prince, ſo little enterprizing and ſo inoffenſive, was ever ſo much expoſed to the oppoſite extremes of calumny and flattery, of ſatyre and panegyric. And the factions, which began in his time, being ſtill continued, have made his character be as much diſputed to this day, as is commonly that of princes who are our contemporaries. Many virtues, however, it muſt be owned he was poſſeſſed of; but no one of them pure, or free from the contagion of the neighbouring vices. His generoſity bordered on profuſion, his learning on pedantry, his pacific diſpoſition on puſillanimity, his wiſdom on cunning, his friendſhip on light fancy and boyiſh fondneſs. While he imagined that he was only maintaining his own authority, he may perhaps be ſuſpected, in ſome of his actions, and ſtill more of his pretenſions, to have encroached on the liberties of his people: While he endeavoured, by an exact neutrality, to acquire the good will of all his neighbours, he was able to preſerve fully the eſteem and regard of none. His capacity was conſiderable; but fitter to diſcourſe on general maxims than to conduct any intricate buſineſs: His intentions were juſt; but more adapted to the conduct of private life, than to the government of kingdoms. Aukward in his perſon, and ungainly in his manners, he was ill qualified to command reſpect; partial and undiſcerning in his affections, he was little fitted to acquire general love. Of a feeble temper more than of a frail judgment: Expoſed to our ridicule from his vanity; but exempt from our hatred by his freedom from pride and arrogance. And upon the whole, it may be pronounced of his character, that all his qualities were ſullied with weakneſs, and embelliſhed by humanity. Political courage he certainly was devoid of; and from thence chiefly is derived the ſtrong prejudice which prevails againſt his perſonal bravery: An inference, however, which muſt be owned from general experience, to be extremely fallacious.

He was only once married, to Anne of Denmark, who died on the 3d of March 1619, in the forty fifth year of her age; a woman eminent neither for her vices nor her virtues. She loved expenſive amuſements and ſhows; but poſſeſſed no taſte in her pleaſures. A great comet appeared about the time of her death; and the vulgar eſteemed it the forerunner of that event. So conſiderable in their eyes are even the moſt inſignificant princes.

He left only one ſon, Charles, then in the twenty-fifth year of his age; and one daughter, Elizabeth, married to the Elector Palatine. She was aged twenty-nine years. Thoſe alone remained of ſix legitimate children born to him. He

* Ruſhworth, vol. i. p. 155.

never

never had any illegitimate; and he never diſcovered any tendency, even the ſmalleſt, towards a paſſion for any miſtreſs.

THE Archbiſhops of Canterbury during this reign were, Whytgift, who died in 1604; Bancroft, in 1610; Abbot, who ſurvived the King. The chancellors, Lord Elleſmore, who reſigned in 1617; Bacon was firſt Lord keeper till 1619, then was created chancellor, and was diſplaced in 1621; Williams, biſhop of Lincoln, was created Lord keeper in his place. The high treaſurers were the Earl of Dorſet, who died in 1609; the Earl of Saliſbury, in 1612; the Earl of Suffolk, fined and diſplaced for bribery in 1618; Lord Mandeville, reſigned in 1621; Earl of Middleſex, diſplaced in 1624; the Earl of Marlborough ſucceeded. The Lord admirals were, the Earl of Nottingham, who reſigned in 1618; the Earl, afterwards Duke of Buckingham. The ſecretaries of ſtate were the Earl of Saliſbury, Sir Ralph Winwood, Nanton, Calvert, Lord Conway, Sir Albertus Moreton.

THE numbers of the houſe of lords, in the firſt parliament of this reign, beſide the biſhops, were ſeventy-eight temporal peers. The numbers in the firſt parliament of Charles were ninety-ſeven. Conſequently James, during that period, created nineteen new peerages above thoſe that expired.

THE houſe of commons, in the firſt parliament of this reign, conſiſted of four hundred and ſixty-ſeven members. It appears, that four burroughs revived their charters, which they had formerly neglected. And as the firſt parliament of Charles conſiſted of four hundred and ninety-four members, we may infer that James erected ten new burroughs.

APPENDIX

TO THE

REIGN of JAMES I.*

Civil government of England during this period.——Eccleſiaſtical government.——Manners.——Finances.——Navy.——Commerce.——Manufactures.——Colonies.——Learning and arts.

IT may not be improper, at this period, to make a pauſe; and take a ſurvey of the ſtate of the kingdom, with regard to government, manners, finances, arms, trade, learning. Where a juſt notion is not formed of theſe particulars, hiſtory can be very little inſtructive, and often will not be intelligible.

Civil government of England.

WE may ſafely pronounce, that the Engliſh government, at the acceſſion of the Scottiſh line, was much more arbitrary, than it is at preſent, the prerogative leſs limited, the liberties of the ſubject leſs accurately defined and ſecured. Without mentioning other particulars, the courts alone of high commiſſion and ſtar-chamber were ſufficient to lay the whole kingdom at the mercy of the prince.

THE court of high commiſſion had been erected by Elizabeth, in conſequence of an act of parliament, paſſed at the beginning of her reign: By this act, it was thought proper, during the great revolution of religion, to arm the ſovereign with full powers, in order to diſcourage and ſuppreſs oppoſition. All appeals from the inferior eccleſiaſtical courts were carried before the high commiſſion; and, of conſequence, the whole life and doctrine of the clergy lay directly under its inſpection. Every breach of the act of uniformity, every refuſal of the ceremonies, was cognizable in this court; and, during the reign of Elizabeth, had been puniſhed by deprivation, by fines, confiſcations, and impriſonment. James contented himſelf with the gentler penalty of deprivation; nor was that puniſhment inflict-

* This hiſtory of the houſe of Stuart was written and publiſhed by the Author before the hiſtory of the houſe of Tudor. Hence it happens that ſome paſſages, particularly in the preſent Appendix, may ſeem to be repetitions of what was formerly delivered in the reign of Elizabeth. The Author, in order to obviate this objection, has cancelled ſome few paſſages in the foregoing chapters.

ed with rigour on every offender †. All the catholics too were liable to be pu- Appendix.
niſhed by this court, if they exerciſed any act of their religion, or were any way active in ſending abroad their children or other relations, to receive that education, which they could not procure them in their own country. Popiſh prieſts were thrown into priſon, and might be delivered over to the law, which puniſhed them with death; tho' that ſeverity had been ſparingly exerciſed by Elizabeth, and never almoſt by James. In ſhort, that liberty of conſcience, which we ſo highly and ſo juſtly value at preſent, was totally ſuppreſſed; and no exerciſe of any religion, but the eſtabliſhed, was permitted throughout the kingdom. Any word or writing, which tended towards hereſy or ſchiſm or ſedition, was puniſhable by the high commiſſioners or any three of them: They alone were judges what expreſſions had that tendency: They proceeded not by information, but upon rumour, ſuſpicion, or according to their own fancy: They adminiſtered an oath, by which the party cited before them, was bound to anſwer any queſtion, which ſhould be propounded to him: Whoever refuſed this oath, tho' on pretence that he might thereby be brought to accuſe himſelf or his deareſt friend, was puniſhable by impriſonment: And in ſhort, an inquiſitorial tribunal, with all its terrors and iniquities, was erected in the kingdom. Full diſcretionary powers were beſtowed with regard to the inquiry, trial, ſentence, and penalty inflicted; excepting only that corporal puniſhments were reſtrained by that patent of the prince, which erected that court, not by the act of parliament, which empowered him. By reaſon of the uncertain limits, which ſeparate eccleſiaſtical from civil cauſes, all accuſations of adultery and inceſt were tried by the court of high commiſſion; and every complaint of wives againſt their huſbands was there examined and diſcuſſed ‡. On like pretences, every cauſe, which regarded conſcience, that is, every cauſe, could have been brought under their juriſdiction.

But there was a ſufficient reaſon, why the King would not be ſolicitous to ſtretch the juriſdiction of this court: The ſtar-chamber poſſeſſed the ſame authority in civil matters; and its methods of proceeding were equally arbitrary and unlimited. The origin of this court was derived from the moſt remote antiquity ‖; tho', it is pretended, that its power had been firſt carried to the utmoſt height by Henry VII. In all times, however, 'tis confeſſed, it enjoyed authority; and at

† Archbiſhop Spotſwood tells us, that he was informed by Bancroft, ſeveral years after the King's acceſſion, that not above 45 clergymen had been deprived.

‡ Rymer, tom. xvii. p. 200.

‖ Ruſhw. vol. ii. p. 473. In Chambers's caſe it was the unanimous opinion of all the court of King's Bench, that the court of Star-chamber was not derived from the ſtatute of Henry VII but was a court many years before, and one of the moſt high and honourable courts of juſtice. See Croke's Rep. Term. Mich. 5 Car. I. See farther Camden's Britt. vol. i. Introd. p. 254. Edit. of Gibſon.

no

Appendix. no time was its authority circumſcribed, or method of proceeding directed, by any preciſe law or ſtatute.

We have had already, or ſhall have ſufficient occaſion, during the courſe of this hiſtory, to mention the diſpenſing power, the power of impriſonment, of exacting forced loans * and benevolence, of preſſing and quartering ſoldiers, of altering the cuſtoms, of erecting monopolies. Theſe branches of power, if not directly oppoſite to the principles of all free government, muſt, at leaſt, be acknowleged dangerous to freedom in a monarchial conſtitution; where an eternal jealouſy muſt be preſerved againſt the ſovereign, and no diſcretionary powers muſt ever be entruſted to him, by which the property or perſonal liberty of any ſubject can be affected. The kings of England, however, had almoſt conſtantly exerciſed theſe powers; and if, on any occaſion, the prince had been obliged to ſubmit to laws enacted againſt them, he had ever, in practice, eluded theſe laws, and returned to the ſame arbitrary adminiſtration. During more than a century before the acceſſion of James, the regal authority, in almoſt all theſe particulars, had never once been called in queſtion.

We may alſo obſerve, that the principles in general, which prevailed during that age, were ſo favourable to monarchy, that they beſtowed on it an authority almoſt abſolute and unlimited, ſacred and indefeizable.

The meetings of parliament were ſo precarious; their ſeſſions ſo ſhort, compared to the vacations; that, when men's eyes were turned upwards in ſearch of ſovereign power, the prince alone was apt to ſtrike them as the only permanent magiſtrate, inveſted with the whole majeſty and authority of the ſtate. The great complaiſance too of parliaments, during ſo long a period, had extremely degraded and obſcured thoſe aſſemblies; and as all inſtances of oppoſition to prerogative muſt have been drawn from a remote age, they were unknown to a great many, and had the leſs authority even with thoſe, who were acquainted with them. Theſe examples, beſides, of liberty, had commonly been accompanied with ſuch circumſtances of violence, convulſion, civil war, and diſorder, that they preſented but a diſagreeable idea to the inquiſitive part of the people, and afforded ſmall inducement to renew ſuch diſmal ſcenes. By a great many, therefore, monarchy, ſimple and unmixed, was conceived to be the government of England; and thoſe popular aſſemblies were ſuppoſed to form only the ornament of the fabric, without being, in any degree, eſſential to its being and exiſtence †. The prerogative

* During the two laſt centuries, no reign had paſſed without ſome forced loans from the ſubject.

† "Monarchies," according to Sir Walter Raleigh, "are of two ſorts, touching their power or "authority, *viz.* 1. Entire, where the whole power of ordering all ſtate-matters, both in peace and "war, doth, by law and cuſtom, appertain to the prince, as in the Engliſh kingdom; where the "prince hath the power to make laws, league and war; to create magiſtrates; to pardon life; of "appeal,

prerogative of the crown was repreſented by lawyers as ſomething real and dura- Appendix.
ble; like thoſe eternal eſſences of the ſchools, which no time nor force could alter.

" appeal, &c. Tho', to give a contentment to the other degrees, they have a ſuffrage in making " laws, yet ever ſubject to the prince's pleaſure and negative will. — 2. Limited or reſtrained, that " hath no full power in all the points and matters of ſtate, as the military king, that hath not the " ſovereignty in time of peace, as the making of laws, &c. but in war only, as the Polonian king. " *Maxims of State.*"

And a little after, " In every juſt ſtate, ſome part of the government is, or ought to be, imparted " to the people, as in a kingdom, a voice and ſuffrage in making laws; and ſometimes alſo of le- " vying of arms (if the charge be great, and the prince forced to borrow help of his ſubjects) the " matter rightly may be propounded to a parliament, that the tax may *ſeem* to have proceeded from " themſelves. So conſultations and ſome proceedings in judicial matters may, in part, be referred " to them. The reaſon, leſt, ſeeing themſelves to be in no number nor of reckoning, they miſlike " the ſtate or government." This way of reaſoning differs little from that of the king, who conſi- dered the privileges of the parliament as matters of grace and indulgence, more than of inheritance. 'Tis remarkable, that Raleigh was thought to lean towards the puritanical party, notwithſtanding theſe poſitions. But ideas of government change much in different times.

Raleigh's ſentiments on this head are ſtill more openly expreſſed, in his *Prerogative of parliaments*, a work not publiſhed till after his death. 'Tis a dialogue between a courtier or counſellor and a coun- try juſtice of peace, who repreſents the patriot party, and defends the higheſt notions of liberty, which the principles of that age would bear. Here is a paſſage of it: " *Counſellor.* That which is done by " the king, with the advice of his private or privy council, is done by the king's abſolute power. " *Juſtice.* And by whoſe power is it done in parliament but by the king's abſolute power? Miſtake " it not, my lord: The three eſtates do but adviſe as the privy council doth; which advice, if the " king embrace, it becomes the king's own act in the one, and the king's law in the other, &c."

The Earl of Clare, in a private letter to his ſon-in-law Sir Thomas Wentworth, afterwards Earl of Strafford, thus expreſſes himſelf. " We live under a prerogative-government, where book-law " ſubmits to *lex loquens.*" He ſpoke from his own, and all his anceſtors, experience. There was no ſingle inſtance of power which a king of England might not, at that time, exert, on pretence of neceſſity or expediency: The continuance alone or frequent repetition of arbitrary adminiſtration might prove dangerous, for want of force to ſupport it. 'Tis remarkable that this letter of the Earl of Clare was wrote in the firſt year of Charles's reign; and conſequently muſt be meant of the general genius of the government, not the ſpirit or temper of the monarch. See Strafford's letters, vol. 1. p. 32. From another letter in the ſame collection, vol. 1. p. 10. it appears, that the council ſome- times aſſumed the power of forbidding perſons, diſagreeable to the court, to ſtand in the elections. This authority they could exert in ſome inſtances, but we are not thence to infer, that they could ſhut the door of that houſe to every one who was not acceptable to them. The genius of the antient government repoſed more truſt in the king, than to entertain any ſuch ſuſpicion, and it allowed ſcat- tered inſtances, of ſuch a kind as would have been totally deſtructive of the conſtitution, had they been continued without interruption.

I have not met with any Engliſh writer of that age, who ſpeaks of England as a limited monarchy, but as an abſolute one, where the people have many privileges. That is no contradiction. In all European monarchies, the people have privileges; but whether dependant or independant on the will of the monarch, is a queſtion, that, in moſt governments, it is beſt to forbear. Surely that queſtion was not determined, before the age of James. The riſing ſpirit of the parliament, together with that King's love of general ſpeculative principles, brought it from its obſcurity, and made it be com-

monly

Appendix. alter. The ſanction of religion, was, by divines, called in aid; and the Monarch of heaven was ſuppoſed to be intereſted in ſupporting the authority of his earthly vicegerent. And tho' theſe doctrines were perhaps more openly inculcated and more ſtrenuouſly inſiſted on during the reign of the Stuarts, they were not then invented; and were only found by the court to be more neceſſary at that period, by reaſon of the oppoſite doctrines, which *began* to be promulgated by the puritanical party *.

In conſequence of theſe exalted ideas of kingly authority, the prerogative, beſide the inſtances of juriſdiction, founded on precedent, was, by many, ſuppoſed to poſſeſs an inexhauſtible fund of latent powers, which might be exerted on any emergence. In every government, neceſſity, when real, ſuperſedes all laws, and levels all limitations: But, in the Engliſh government, convenience alone was conceived to authorize any extraordinary act of regal power, and to render it obligatory on the people. Hence the ſtrict obedience required to proclamations, during all periods of the Engliſh hiſtory; and, if James has incurred blame on account of his edicts, 'tis only becauſe he iſſued them at a time, when they began to be leſs regarded, not becauſe he firſt aſſumed or extended to an unuſual degree that exerciſe of authority. Of his maxims in a parallel caſe, the following is a pretty remarkable inſtance.

monly canvaſſed. The ſtrongeſt teſtimony, which I remember from a writer of James's age, in favour of Engliſh liberty, is in Cardinal Bentivoglio, a foreigner, who mentions the Engliſh government as ſimilar to that of the low-country provinces under their princes, rather than to that of France or Spain. Engliſhmen were not ſo ſenſible that their prince was limited, becauſe they were ſenſible, that no individual had any full ſecurity againſt a ſtretch of prerogative: But foreigners, by compariſon, could perceive, that theſe ſtretches, were, at that time, from cuſtom or other cauſes, leſs frequent in England than in other monarchies. Philip de Comines too remarked the Engliſh conſtitution, to be more popular in his time than that of France: But in a paper, wrote by a patriot in 1627, it is remarked, that the freedom of ſpeech in parliament had been loſt in England, ſince the days of Comines. See Franklyn, p. 238.

* Paſſive obedience is expreſly and zealouſly inculcated in the homilies, compoſed and publiſhed by authority, in the reign of Queen Elizabeth. The convocation, which met in the very firſt year of the King's reign, voted as high monarchical principles as are contained in the decrees of the univerſity of Oxford, voted during the rule of the tories. Theſe principles, ſo far from being deemed a novelty, introduced by King James's influence, paſſed ſo ſmoothly, that no hiſtorian has taken notice of them: They were never the ſubject of controverſy, or diſpute, or diſcourſe; and it is only by means of biſhop Overall's Convocation-book, printed near 70 years after, that we are acquainted with them. Would James, who was ſo cautious, and even timid, have ventured to begin his reign with a bold ſtroke, which would have given juſt ground of jealouſy to his ſubjects? It appears, from that monarch's Baſilicon Doron, written while he was in Scotland, that the republican ideas of the origin of power from the people, were, at that time, eſteemed puritanical novelties. The patriarchal ſcheme, 'tis remarkable, is inculcated in thoſe votes of the convocation preſerved by Overall; nor was Filmer the firſt inventor of thoſe abſurd notions.

QUEEN

QUEEN Elizabeth had appointed commiſſioners for the inſpection of priſons, and had beſtowed on them full diſcretionary powers to adjuſt all differences between priſoners and their creditors, to compound debts, and to give liberty to ſuch debtors as they found honeſt, and incapable of making full payment. From the uncertain and undefined nature of the Engliſh conſtitution, doubts ſprang up in many, that this commiſſion was contrary to law; and it was repreſented in that light to James. He forbore therefore to renew the commiſſion, till the fifteenth of his reign; when complaints roſe ſo high, with regard to the abuſes practiſed in priſons, that he thought himſelf obliged to overcome his ſcruples, and to appoint new commiſſioners, inveſted with the ſame diſcretionary powers, which Elizabeth had formerly conferred *. Appendix.

UPON the whole, we muſt conceive that monarchy, on the acceſſion of the houſe of Stuart, was poſſeſſed of a very extenſive authority: An authority, in the judgment of all, not exactly limited; in the judgment of ſome, not limitable. But, at the ſame time, this authority was founded merely on the opinion of the people, influenced by antient precedent and example. It was not ſupported either by money or by force of arms. And, for this reaſon, we need not wonder, that the princes of that line were ſo extremely jealous of their prerogative; being ſenſible, that, when thoſe claims were raviſhed from them, they poſſeſſed no influence, by which they could maintain their dignity. By the changes, which have ſince been introduced, the liberty and independance of individuals has been rendered much more full, intire, and ſecure; that of the public more uncertain and precarious.

WE have had occaſion to remark, in ſo many inſtances, the bigotry, which prevailed in that age, that we can look for no toleration among the different ſects. Two arians, under the title of heretics, were puniſhed with fire during this period; and no one reign, ſince the reformation, had been free from like barbarities. Stowe ſays, that theſe arians were offered their pardon at the ſtake, if they would merit it by a recantation. A madman, who called himſelf the Holy Ghoſt, was, without any indulgence for his frenzy, condemned to the ſame puniſhment. Twenty pounds a month, by law, could be levied from every one, who frequented not the eſtabliſhed worſhip. This rigorous law, however, had one indulgent clauſe, that the fines exacted ſhould not exceed two thirds of the yearly income of the perſon. It had been uſual for Elizabeth to allow thoſe penalties to run on for ſeveral years; and to levy them all at once, to the utter ruin of ſuch catholics, as had incurred her diſpleaſure. James was more humane in this, as in every other reſpect. The puritans formed a ſect, which ſecretly lurked in the church, but pretended not to any ſeparate worſhip or diſcipline. An attempt of Eccleſiaſtical government.

* Rymer, tom. xviii. p. 117, 594.

Appendix. that kind would have been univerſally regarded as the moſt unpardonable enormity. And had the King been diſpoſed to grant the puritans a full toleration for a ſeparate exerciſe of their religion, it is certain, from the ſpirit of the times, that that ſect itſelf would have deſpiſed and hated him for it, and would have reproached him with lukewarmneſs and indifference in the cauſe of religion. They maintained, that they themſelves were the only pure church; that their principles and practices ought to be eſtabliſhed by law; and that no others ought to be tolerated. It may be queſtioned, therefore, whether the adminiſtration at this time could with propriety deſerve the appellation of perſecutors with regard to the puritans. Such of the clergy as refuſed to comply with the legal creremonies were indeed deprived of their livings, and ſometimes were otherwiſe puniſhed: And ought any man to accept of an office or benefice in an eſtabliſhment, while he declines compliance with the fixed and known rules of that eſtabliſhment? But puritans were never puniſhed for frequenting ſeparate congregations; becauſe there were none ſuch in the kingdom; and no proteſtant ever aſſumed or pretended to the right of erecting them. Even the greateſt well-wiſhers of the puritanical ſect would have condemned a practice, which in that age was univerſally regarded as ſubverſive of civil ſociety *. And nothing but the imputation of idolatry, which was thrown on the catholic religion, could juſtify in their eyes the ſeparation made by the hugonots and other proteſtants, who lived in popiſh countries.

THE liberty of the preſs was incompatible with ſuch maxims and ſuch principles of government, and was therefore quite unknown in that age. Beſides employing the two terrible courts of ſtar-chamber and high commiſſion, whoſe power was unlimited; Queen Elizabeth exerted her authority by reſtraints upon the preſs. She paſſed a decree in her court of ſtar-chamber, that is, by her own will and pleaſure, forbidding any book to be printed in any place but in London, Oxford, and Cambridge †: And another, in which ſhe prohibited, under ſevere penalties, the publiſhing any book or pamphlet *againſt the form or meaning of any reſtraint or ordinance, contained or to be contained, in any ſtatute or laws of this realm, or in any injunction made or ſet forth by her Majeſty or her privy council, or againſt the true ſenſe or meaning of any letters patent, commiſſions or prohibitions under the great ſeal of England* ‡. James extended the ſame penalties to the importing ſuch books from abroad ‖. And to render thoſe edicts more effectual, he afterwards inhibited the printing any book without a permiſſion from the Archbiſhop of Canterbury, the Archbiſhop of York, the biſhop of London,

* Even ſo great a philoſopher as lord Bacon, thought that uniformity in religion was neceſſary to the ſupport of government, and that no toleration ought to be given to ſectaries. See his Eſſay *De Unitate Eccleſiæ*.

† 28th of Eliz. See State-trials: Sir Robert Knightley, vol. 7. edit. 1. ‡ Rymer, tom. xvii. p. 522. ‖ Id. ibid.

or the vice chancellor of one of the univerſities, or of ſome perſon appointed by them *. Appendix.

THE manners of the nation were agreeable to the monarchical government, which prevailed; and contained not that ſtrange mixture, which, at preſent, diſtinguiſhes England from all other countries. Such violent extremes were then unknown, of induſtry and debauchery, frugality and profuſion, civility and ruſticity, fanaticiſm and ſcepticiſm. Candour, ſincerity, modeſty are the only qualities, which the Engliſh of that age poſſeſſed in common with the preſent. Manners.

HIGH pride of family then prevailed; and it was by a dignity and ſtatelineſs of behaviour, that the gentry and nobility diſtinguiſhed themſelves from the common people. Great riches, acquired by commerce, were more rare, and had not, as yet, been able to confound all ranks of men, and render money the chief foundation of diſtinction. Much ceremony took place in the common intercourſe of life, and little familiarity was indulged by the great. The advantages, which reſult from opulence, are ſo ſolid and real, that thoſe poſſeſſed of them need not dread the near approaches of their inferiors. The diſtinctions of birth and title, being more empty and imaginary, ſoon vaniſh upon familiar acceſs, and acquaintance.

THE expences of the great conſiſted in pomp and ſhow and a numerous retinue, rather than in convenience and true pleaſure. The Earl of Nottingham, in his embaſſy to Spain, was attended with 500 perſons: The Earl of Hertford, in that to Bruſſels, carried 300 gentlemen along with him. Lord Bacon has remarked, that the Engliſh nobility in his time maintained a larger retinue of ſervants than the nobility of any other nation, except perhaps the Polanders †.

CIVIL honours, which now hold the firſt place, were, at that time, ſubordinate to the military. The young gentry and nobility were fond of diſtinguiſhing themſelves by arms. The fury of duels too prevailed more than at any time before or ſince ‡. This was the turn, that the romantic chivalry, for which the nation was formerly ſo renowned, had lately taken.

LIBERTY of commerce between the ſexes was indulged; but without any licentiouſneſs of manners. The court was very little an exception to this obſervation. James had rather entertained an averſion and contempt for the females; nor were thoſe young courtiers, of whom he was ſo fond, able to break thro' the eſtabliſhed manners of the nation.

THE country life prevails at preſent in England beyond any cultivated nation of Europe; but it was then much more generally embraced by all the gentry. The increaſe of arts, pleaſures, and ſocial commerce, was juſt beginning to pro-

* Rymer, tom. xvii. p. 616. † Eſſays de Prof. Fin. Imp. ‡ Franklyn, p. 5.

Appendix. duce an inclination for the ſofter and more civilized life of the city. James diſcouraged, as much as poſſible, this alteration of manners. "He was wont to be "very earneſt," as Lord Bacon tells us, "with the country gentlemen to go from "London to their country-ſeats. And ſometimes he would ſay thus to them: "*Gentlemen, at London, you are like ſhips in a ſea, which ſhow like nothing; but, "in your country-villages, you are like ſhips in a river, which look like great things* †."

He was not contented with reproof and exhortation. As Queen Elizabeth had perceived, with regret, the increaſe of London, and had reſtrained all new buildings by proclamation; James, who found that theſe edicts were not exactly obeyed, frequently renewed them; tho' a ſtrict execution ſeem ſtill to have been wanting. Reiterated proclamations he alſo iſſued, in imitation of his predeceſſor; containing ſevere menaces againſt the gentry, who lived in town ‡. This policy is contrary to that, which has ever been practiſed by all princes, who ſtudied the increaſe of their authority. To allure the nobility to court; to engage them in expenſive pleaſures or employments, which diſſipate their fortune; to increaſe their ſubjection to miniſters by attendance; to weaken their authority in the provinces by abſence: Theſe have been the common arts of arbitrary government. But James had no money to ſupport a ſplendid court, or beſtow on a numerous retinue of gentry and nobility. He thought too, that, by their living together, they became more ſenſible of their own ſtrength, and were apt to indulge too curious reſearches into matters of government. To remedy the preſent evil, he was deſirous of diſperſing them into their country ſeats; where, he hoped, they would bear a more ſubmiſſive reverence to his authority, and receive leſs ſupport from each other. But the contrary effect ſoon followed. The riches, amaſſed, during their reſidence at home, rendered them independant. The influence, acquired by hoſpitality, made them formidable. They would not be led by the court: They could not be driven: And thus the ſyſtem of the Engliſh government received a total and a ſudden alteration in the courſe of leſs than forty years.

The firſt riſe of commerce and the arts had contributed, in preceding reigns, to ſcatter thoſe immenſe fortunes of the barons, which rendered them ſo formidable both to King and people. The farther progreſs of theſe advantages began, during this reign, to ruin the ſmall proprietors of land ‖; and, by both events, the gentry, or that rank which compoſed the houſe of commons, enlarged their power and authority. The early improvements in luxury were ſeized by the greater nobles, whoſe fortunes, placing them above frugality, or even calculation, were ſoon diſſipated in expenſive pleaſures. Theſe improvements reached at laſt all men of property; and thoſe of ſlender fortunes, who, at that time, were often men of family, imitating thoſe of a rank immediately above them, reduced themſelves to

† Apophthegms. ‡ Rymer, tom. xvii. p. 632. ‖ Cabbala, p. 224. firſt edit.

poverty.

poverty. Their lands, coming to ſale, ſwelled the eſtates of thoſe, who poſſeſſed riches ſufficient for the faſhionable expences; but who were not exempted from ſome care and attention to their domeſtic oeconomy. Appendix.

THE gentry alſo of that age were engaged in no expence, except that of country hoſpitality. No taxes were levied, no wars waged, no attendance at court expected, no bribery or profuſion required at elections *. Could human nature ever reach happineſs, the condition of the Engliſh gentry, under ſo mild and benign a prince, might merit that appellation.

THE condition of the King's revenue, as it ſtood in 1617, is thus ſtated †. Of crown lands, 80,000 pounds a year; by cuſtoms and new impoſitions, near 190,000; by wards and other various branches of revenue, beſide purveyance, 180,000. The whole amounting to 450,000. The King's ordinary diſburſements, by the ſame account, is ſaid to exceed this ſum thirty-ſix thouſand pounds ‡. All the extraordinary ſums, which he had raiſed by ſubſidies, loans, ſale of lands, ſale of the title of baronet, money paid by the ſtates and by the King of France, benevolences, *&c.* were, in the whole, about two millions, two hundred thouſand pounds. Of which the ſale of lands afforded ſeven hundred and ſeventy-five thouſand pounds. The extraordinary diſburſements of the King amounted to two millions; beſide above four hundred thouſand pounds given in preſents. Upon the whole, a ſufficient reaſon appears, partly from neceſſary expences, partly from want of oeconomy, why the King, even early in his reign, was very deeply involved in debt, and found great difficulty to ſupport the government. Finances.

FARMERS, not commiſſioners, levied the cuſtoms. It ſeems, indeed, requiſite, that the former method ſhould always be tried before the latter; tho' a preferable one. When men's own intereſt is concerned, they fall upon an hundred expedients to prevent frauds in the merchants; and theſe the public may afterwards imitate, in eſtabliſhing proper rules for its officers.

THE cuſtoms were ſuppoſed to amount to five *per cent.* of the value, and were levied upon exports, as well as imports. Nay, the impoſition upon exports, by James's arbitrary additions, is ſaid to amount, in ſome few inſtances, to twenty-five *per cent.* This practice, ſo hurtful to induſtry, prevails ſtill in France, Spain, and moſt countries of Europe. The cuſtoms in 1604, yielded 127,000 pounds a year ‖: They roſe to 160,000 pounds towards the end of the reign §.

* Men ſeem then to have been ambitious of repreſenting the counties, but careleſs of the boroughs. A ſeat, in the houſe was, in itſelf, of ſmall importance: But the former became a point of honour among the gentlemen. Journ. 10. Feb. 1620. Towns, which had formerly neglected their right of ſending members, now began to claim it. Journ. 26 Feb. 1623.

† See abſtract, or brief declaration of his Majeſty's revenue, with the aſſignations and defalcations upon the ſame.

‡ The exceſs was formerly greater, as appears by Saliſbury's account. See chap. 2.

‖ Journ. 21 of May, 1604. § Id. 31 May, 1621.

Appendix.

INTEREST during this reign, was never below eight *per cent:* An indication of the great profits and ſmall progreſs of commerce.

THE extraordinary ſupplies granted by the parliament, during this whole reign, amounted not to more than 630,000 pounds; which, divided among twenty-one years, makes 30,000 pounds a-year. I do not include thoſe ſupplies, amounting to 300,000 pounds, which were given the King by his laſt parliament. Theſe were paid in to their commiſſioners; and the expences of the Spaniſh war were much more than ſufficient to exhauſt them. The diſtreſſed family of the Palatine was a great burthen on James, during part of his reign. The King, it muſt be owned, poſſeſſed not frugality, proportioned to the extreme narrowneſs of his revenue. Splendid equipages, however, he did not affect, nor coſtly furniture, nor a luxurious table, nor prodigal miſtreſſes. His buildings too were not ſumptuous; tho' the banqueting-houſe muſt not be forgot, as a monument, which does honour to his reign. Hunting was his chief amuſement, the cheapeſt pleaſure in which a king can indulge himſelf. His expences were the effects of liberality, rather than of luxury.

ONE day, 'tis ſaid, while he was ſtanding amidſt ſome of his courtiers, a porter paſſed by, loaded with money, which he was carrying to the treaſury. The King obſerved, that Rich, afterwards Earl of Holland, one of his handſome agreeable favourites, whiſpered ſomewhat to one ſtanding near him. Upon enquiry, he found, that Rich had ſaid, *How happy would that money make me!* Without heſitation, James beſtowed it all upon him, tho' it amounted to 3000 pounds. He added, *You think yourſelf very happy in obtaining ſo large a ſum; but I am more happy, in having an opportunity of obliging a worthy man, whom I love.* The generoſity of James was more the reſult of a benign humour or light fancy than of reaſon or judgment. The objects of it were ſuch as could render themſelves agreeable to him in his looſe hours; not ſuch as were endowed with great merit, or who poſſeſſed talents or popularity, which could ſtrengthen his intereſt with the people.

SUBSIDIES and fifteenths are frequently mentioned by hiſtorians; but neither the amount of theſe taxes, nor the method of impoſing them, have been well explained. It appears, that the fifteenths formerly correſponded to the name, and were that proportionable part of the moveables *. But a valuation being made, during the reign of Edward III. that valuation was always adhered to, and each town paid unalterably a particular ſum, which they themſelves aſſeſſed upon the inhabitants. The ſame tax in corporate towns was called a tenth; becauſe there it was, at firſt, a tenth of the moveables. The whole amount of a tenth and fifteenth thro' the kingdom, or a fifteenth, as it is often more conciſely called, was about 29,000 pounds †. The amount of a ſubſidy was not invariable, like that

* Coke Inſt. book iv. cap. 1. Of fifteens, quinzins.

† Id. ſubſidies temporary.

of

of a fifteenth. In the eighth of Elizabeth, a ſubſidy amounted to 120,000 pounds: In the fortieth, it was not above 78,000 *. It afterwards fell to 70,000; and was continually decreaſing †. The reaſon is eaſily collected from the method of levying it. We may learn from the ſubſidy bills ‡, that one ſubſidy was given for four ſhillings in the pound on land, and two ſhillings and eight-pence on moveables throughout the counties; a conſiderable tax, had it been ſtrictly levied. But this was only the antient ſtate of a ſubſidy. During the reign of James, there was not paid the twentieth part of that ſum. The tax was ſo far perſonal, that a man paid only in the county where he lived, tho' he ſhould poſſeſs eſtates in other counties; and the aſſeſſors formed a looſe eſtimation of his property, and rated him accordingly. To preſerve, however, ſome rule in the eſtimation, it ſeems to have been the practice to keep an eye to former aſſeſſments, and to rate every man according as his anceſtors, or men of ſuch an eſtimated property, were accuſtomed to pay. This was a ſufficient reaſon why ſubſidies could not increaſe, notwithſtanding the great increaſe of money and riſe of rents. But there was an evident reaſon, why they continually decreaſed. The favour, as is natural to ſuppoſe, ran always againſt the crown; eſpecially during the latter end of Elizabeth, when ſubſidies became numerous and frequent, and the ſums levied were conſiderable, compared to former ſupplies. The aſſeſſors, tho' accuſtomed to have an eye to antient eſtimations, were not bound to obſerve any ſuch rule; but might rate anew any perſon, according to his preſent income. When rents fell, or parts of an eſtate were ſold off, the proprietor was ſure to repreſent theſe loſſes, and obtain a diminution of his ſubſidy; but where rents roſe, or new lands were purchaſed, he kept his own ſecret, and paid no more than formerly. The advantage, therefore, of every change was taken againſt the crown; and the crown could obtain the advantage of none. And to make the matter worſe, the alterations, which happened in property during this age were, in general, unfavourable to the crown. The ſmall proprietors, or twenty pound men, went continually to decay; and when their eſtates were ſwallowed up by a greater, the new purchaſer increaſed not his ſubſidy. So looſe indeed is the whole method of rating ſubſidies, that the wonder was not how the tax ſhould continually diminiſh; but how it yielded any revenue at all. It became at laſt ſo unequal and uncertain, that the parliament was obliged to change it for a land tax. Appendix.

THE price of corn, during this reign, and by conſequence, that of the other neceſſaries of life, was no lower, or was rather higher, than at preſent. By a proclamation of James, eſtabliſhing public magazines, whenever wheat fell below thirty-two ſhillings a quarter, rye below eighteen, barley below ſixteen, the commiſſioners were impowered to purchaſe corn for the magazines ‖. Theſe prices

* Journ. 11 July 1610.
† Coke's Inſt. book iv. chap. 1. Subſidies temporary.
‡ See ſtatutes at large.
‖ Rymer, tom. xvii. p. 526.

then

Appendix. then are to be regarded as low; tho' they would paſs for high by our preſent eſtimation. The beſt wool, during the greateſt part of James's reign, was at thirty-three ſhillings a tod: At preſent, it is not above two thirds of that value; tho' it is to be preſumed, that our exports in woollen goods are conſiderably increaſed. The finer manufactures too, by the progreſs of art and induſtry, have rather diminiſhed, notwithſtanding the great increaſe of money. In Shakeſpear, the hoſteſs tells Falſtaff, that the ſhirts ſhe bought him were holland at eight ſhillings a yard; a very high price at this day, even ſuppoſing, what is not probable, that the beſt holland at that time was equal in goodneſs to the beſt which can now be purchaſed. In like manner, a yard of velvet, about the middle of Elizabeth's reign, was valued at two and twenty ſhillings *. I have not been able by any enquiry to learn the common price of butcher's meat during the reign of James †. But as bread is the chief article of food, and its price regulates that of every thing elſe, we may preſume, that cattle bore a high value as well as corn. Beſides, we muſt conſider, that the general turn of that age, which no laws could prevent, was the converting arable land into paſture: A certain proof that the latter was found more profitable, and conſequently, that all butcher's meat, as well as bread, was conſiderably higher than at preſent. We have a regulation of the market with regard to poultry and ſome other articles, very early in Charles I's reign ‡; and the prices are high. A turkey cock four ſhillings and ſixpence, a turkey hen three ſhillings, a pheaſant cock ſix ſhillings, a pheaſant hen five ſhillings, a partridge one ſhilling, a gooſe two ſhillings, a capon two and ſixpence, a pullet one and ſixpence, a rabbit eight-pence, a dozen of pigeons ſix ſhillings ‖. We muſt conſider, that London at preſent is more than three times the bulk it was at that time. A circumſtance, which much increaſes the price of poultry and of every thing that cannot conveniently be brought from a diſtance. The chief difference in expence between that age and the preſent conſiſts in the imaginary wants of men, which have ſince extremely multiplied. Theſe are the principal reaſons, why James's revenue would go farther than the ſame money in our time; tho' the difference is not near ſo great as is uſually imagined.

Arms. THE public was entirely free from the great danger and expence of a ſtanding army. While James was vaunting his divine vicegerency, and boaſting of an al-

* See a compendium or dialogue inſerted in the Memoirs of Wool. chap. 23.

† The author has ſince diſcovered in Dr. Birch's Life of Prince Henry, that that Prince made an allowance of near a groat a pound for all the beef and mutton us'd in his family. See p. 449. This price agrées very well with the calculations here delivered.

‡ Rymer, tom. xix. p. 511.

‖ We may judge of the great grievance of purveyance by this circumſtance, that the purveyors often gave but ſixpence for a dozen of pigeons, and twopence for a fowl. Journ. 25 May, 1626.

moſt

moſt unlimited prerogative, he poſſeſſed not ſo much as a ſingle regiment of guards to maintain his extenſive claims: A ſufficient proof, that he ſincerely believed his pretenſions to be well grounded, and a ſtrong preſumption, that they were at leaſt built on what were then deemed plauſible arguments. The militia of England, amounting to 160,000 men *, were the ſole defence of the kingdom. 'Tis pretended, that they were kept in very good order during this reign †. The city of London procured officers, who had ſerved abroad, and who taught the trained bands their exerciſes in artillery garden; a practice, which had been diſcontinued ſince 1588. All the counties of England, in emulation of the capital, were fond of ſhowing a well ordered and well appointed militia. It appeared, that the natural propenſity or men towards military ſhows and exerciſes will always be ſufficient, with a little attention of the ſovereign, to excite and ſupport this ſpirit in any nation. The very boys, at this time, in mimickry of their elders, inliſted themſelves voluntarily into companies, elected officers, and practiſed the diſcipline, of which the models were every day expoſed to their view ‡. Sir Edward Harwood, in a memorial compoſed at the beginning of the ſubſequent reign, ſays, that England was ſo unprovided of horſes fit for war, that 2000 men could not poſſibly be mounted throughout the whole kingdom §. At preſent, the breed of h[illegible]ſes is ſo much improved, that almoſt all thoſe employed, either for the plough, waggon, or coach, would be fit for that purpoſe. Appendix.

THE diſorders of Ireland obliged James to keep up ſome forces there, and put him to a great expence. The common pay of a private man in the infantry was eight pence a day, a lieutenant two ſhillings, an enſign eighteen pence ‖. The armies in Europe were not near ſo numerous, during that age; and the private men, we may obſerve, were drawn from a better rank than at preſent, and approaching nearer to that of the officers ¶.

IN the year 1583, there was a general review made of all the men in England capable of bearing arms; and theſe were found to amount to 1,172,000 men, according to Raleigh **. It is impoſſible to warrant the exactneſs of this computation; or rather, we may fairly preſume it to be ſomewhat inaccurate. But if it approached near the truth, England has probably, ſince that time, increaſed much

* Journ. 1. March 1623. † Stowe. See alſo Sir Walter Raleigh of the prerogatives of parliament, and Johnſtoni hiſt. lib. 18.

‡ Stowe. § In the Harleyan miſcellany, vol. iv. p. 255. ‖ Rymer, tom. xvi. p. 717.

¶ In older times, ſoldiers were ſtill of a higher rank. The Duke of Clarence, ſon to Edward III. when Lord lieutenant of Ireland, had for the pay of his army theſe appointments. For himſelf thirteen ſhillings and four pence a-day, for his knights two ſhillings a piece, for his archers ſix pence. This laſt would now be equal to a crown a-day. Sir John Davies, p. 35. edit. 1745.

** Of the invention of ſhipping. This number is much ſuperior to that contained in Murden, and delivered by Sir Edward Coke to the houſe of commons; and is more likely.

Appendix. in populouſneſs. The growth of London, in riches and beauty, as well as numbers of inhabitants, has been prodigious. From 1600, it doubled every forty years *; and conſequently in 1680, it contained four times as many inhabitants, as at the beginning of the century. It has ever been the center of all the trade in the kingdom; and almoſt the only town which affords ſociety and amuſement. The affection, which the Engliſh bear to a country life, makes the provincial towns be little frequented by the gentry. Nothing but the allurements of the capital, which is favoured by the reſidence of the king, by being the ſeat of government, and of all the courts of juſtice, can prevail over their paſſion for their rural villas.

LONDON, at this time, was almoſt entirely built of wood, and in every reſpect, was certainly a very ugly city. The Earl of Arundel firſt introduced the practice of brick buildings †.

Navy. THE navy of England was eſteemed very formidable in Elizabeth's time, yet it conſiſted only of thirty-three ſhips beſides pinnaces ‡: And the largeſt of theſe would not equal our fourth rates at preſent. Raleigh adviſes never to build a ſhip of war above 600 tuns §. James was not negligent of the navy. In five years, preceding 1623, he built ten new ſhips, and expended fifty thouſand pounds a year on the fleet, beſide the value of thirty-ſix thouſand pounds in timber which he annually gave from the royal foreſts ‖. The largeſt ſhip that ever has come from the Engliſh docks, was built during this reign. She was only 1400 tuns, and carried ſixty-four guns ¶. The merchant ſhips, in caſes of neceſſity, were converted inſtantly into ſhips of war. The King affirmed to the parliament that the navy had never before been in ſo good a condition **.

Commerce. EVERY ſeſſion of parliament, during this whole reign, we meet with grievous lamentations of the decay of trade and the growth of popery: Such violent propenſity have men to complain of the preſent times, and to entertain diſcontents againſt their fortune and condition. The king himſelf was deceived by theſe popular complaints, and was at a loſs to account for the total want of money, which he heard ſo much exaggerated ††. It may however be affirmed, that, during no preceding period of Engliſh hiſtory, was there a more ſenſible increaſe, than during the reign of this monarch, of all the advantages, which diſtinguiſh a flouriſh-

* Sir William Petty. † Sir Edward Walker's political diſcourſes, p. 270.

‡ Coke's inſt. book iv. chap. 1. Conſultation in parliament for the navy.

§ By Raleigh's account, in his diſcourſe of the firſt invention of ſhipping, the fleet in the twenty-fourth of the Queen, conſiſted only of thirteen ſhips, and were augmented afterwards eleven. He probab'y reckoned ſome to be pinnaces, which Coke called ſhips.

‖ Journ. 11th of March 1623. Sir William Monſon makes the number amount only to nine new ſhips. p. 253. ¶ Stowe. ** Parl. Hiſt. vol. vi. p. 94.

†† Rymer, tom. xvii. p. 413.

ing people. Not only the peace which he maintained, was favourable to induſtry and commerce: His turn of mind inclined him to promote the peaceful arts: And trade being as yet in its infancy, all additions to it muſt have been the more evident to every eye, which was not blinded by melancholy prejudices *. Appendix.

By an account †, which ſeems judicious and accurate, it appears, that all the ſeamen, employed in the merchant ſervice, amounted to 10000 men, which probably exceeds not the ſixth part of their preſent number. Sir Thomas Overbury ſays, that the Dutch poſſeſſed three times more ſhipping than the Engliſh, but that their ſhips were of inferior burden to thoſe of the latter ‡. Sir William Monſon computed the Engliſh naval power to be little or nothing inferior to the Dutch §, which is ſurely an exaggeration.

A catalogue of the manufactures, for which the Engliſh were then eminent, would appear very contemptible, in compariſon of thoſe, which flouriſh among them at preſent. Almoſt all the more elaborate and curious arts were only cultivated abroad, particularly in Italy. Ship-building and founding of iron cannon were the ſole, in which the Engliſh excelled. They ſeem, indeed, to have poſſeſſed alone the ſecret of the latter; and great complaints were made every parliament againſt the exportation of Engliſh ordnance. Manufactures.

Nine tenths of the commerce of the kingdom conſiſted in woollen goods ‖. Wool, however, was allowed to be exported, till the 19th of the king. Its exportation was then forbid by proclamation; tho' that edict was never ſtrictly executed. Moſt of the cloth was exported raw, and was dyed and dreſſed by the

* That of the honeſt hiſtorian Stowe ſeems not to have been of this number. "The great bleſ-
"ſings of God, ſays he, thro' increaſe of wealth in the common ſubjects of this land, eſpecially upon
"the citizens of London; ſuch within men's memory, and chiefly within theſe few years of peace,
"that, except there were now due mention of ſome ſort made thereof, it would in time to come
"be held incredible, &c." In another place, "Amongſt the manifold tokens and ſigns of the infi-
"nite bleſſings of Almighty God beſtowed upon this kingdom, by the wondrous and merciful eſta-
"bliſhing of peace within ourſelves, and the full benefit of concord with all chriſtian nations and
"others: Of all which graces let no man dare to preſume he can ſpeak too much; whereof in truth
"there can never be enough ſaid, neither was there ever any people leſs conſiderate and leſs thank-
"ful than at this time, being not willing to endure the memory of their preſent happineſs, as well in
"the univerſal increaſe of commerce and traffic throughout the kingdom, great building of royal
"ſhips and by private merchants, the re-peopling of cities, towns, and villages, beſide the diſcerni-
"ble and ſudden increaſe of fair and coſtly buildings, as well within the city of London as the ſuburbs
"thereof, eſpecially within theſe twelve years, &c.

† The trade's increaſe in the Harleyan miſc. vol. iii.

‡ Remarks on his travels, Harl. miſc. vol. ii. P. 349.

§ Naval Tracts, p. 329, 350. ‖ Journ. 26 May 1621.

Appendix. Dutch; who gained, 'tis pretended, 700,000 pounds a-year by this manufacture *. A prohibition, iſſued by the King, to export cloth in that condition, had ſucceeded ſo ill, during one year, by the refuſal of the Dutch to buy the dreſſed cloth, that great murmurs aroſe againſt it; and this meaſure was retracted by the King, and complained of by the nation, as if it had been the moſt impolitic in the world. It ſeems indeed to have been premature.

In ſo little credit was the fine Engliſh cloth even at home, that the King was obliged to ſeek expedients, by which he might engage the people of faſhion to wear it †. The manufacture of fine linen was totally unknown in the kingdom ‡.

The company of merchant adventurers, by their patent, poſſeſſed the ſole commerce of woollen goods, tho' the ſtaple commodity of the nation. An attempt, made during the reign of Elizabeth, to lay open this important trade, had been attended with bad conſequences for a time, by a conſpiracy of the merchant adventurers, not to make any purchaſes of cloth; and the Queen immediately reſtored them their patent.

They were groundleſs fears of a like accident, that enſlaved the nation to thoſe excluſive companies, which confined ſo much every branch of commerce and induſtry. The parliament, however, annulled, in the third of the King, the patent of the Spaniſh company; and the trade to Spain, which was, at firſt, very inſignificant, ſoon became the moſt conſiderable in the kingdom. 'Tis ſtrange, that they were not thence encouraged to aboliſh all the other companies, and that they went no farther than obliging them to enlarge their bottom, and to facilitate the admiſſion of new adventurers.

A board of trade was erected by the King in 1622 §. One of the reaſons, aſſigned in the commiſſion, is to remedy the low price of wools, which begot complaints of the decay of the woollen manufactory. 'Tis more probable, however, that this fall of prices proceeded from the increaſe of wool. The King likeways recommends it to the commiſſioners to inquire and examine, whether a greater freedom of trade, and an exemption from the reſtraint of excluſive companies, would not be beneficial. Men were then fettered by their own prejudices; and the King was juſtly afraid of embracing a bold meaſure, the conſequences of which might be uncertain. The digeſting of a navigation-act, of a like nature with the famous one executed afterwards by the republican parliament, is likewiſe recommended to the commiſſioners. The arbitrary powers then commonly aſſumed by the privy council, appear evidently thro' the whole tenor of the commiſſion.

* Journ. 20th May, 1614. Raleigh, in his obſervations, computes the loſs at 400,000 pounds to the nation. There are about 80,000 undreſſed cloths, ſays he, exported yearly. He computes, beſides, that about 100,000 pounds a-year had been loſt by kerſies; not to mention other articles.

† Rymer, tom. xvii. p. 415. ‡ *Id. ibid.* § *Id.* p. 410.

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THE ſilk manufacture had no footing in England: But, by James's direction, mulberry trees were planted, and ſilk-worms introduced *. The climate ſeems unfavourable to the execution of this project. Appendix.

GREENLAND is thought to have been diſcovered during this reign; and the whale-fiſhery was carried on with great ſucceſs: But the induſtry of the Dutch, in ſpite of all oppoſition, ſoon deprived the Engliſh of this ſource of riches. A company was erected for the diſcovery of the north-weſt paſſage; and many fruitleſs attempts were made for that purpoſe. In ſuch noble projects, deſpair ought never to be admitted, till the abſolute impoſſibility of ſucceſs be fully aſcertained.

THE paſſage to the Eaſt-Indies had been opened to the Engliſh during the reign of Elizabeth; but the trade to thoſe parts of the world was not entirely eſtabliſhed, till this reign, when the Eaſt India-company received a new patent, enlarged their ſtock to 1500,000 pounds †, and fitted out ſeveral ſhips on theſe adventures. In 1609, they built a veſſel of 1200 tun, the largeſt merchant-ſhip, which England had ever known. She was unfortunate, and periſhed by ſhip-wreck. In 1611, a large ſhip of the company, aſſiſted by a pinnace, maintained five ſeveral engagements, with a ſquadron of Portugueſe, and gained a complete victory over forces much ſuperior. During the following years, the Dutch company were guilty of great injuries towards the Engliſh, in expelling many of their factors, and deſtroying their ſettlements: But theſe violences were reſented with a proper ſpirit by the court of England. A naval force was equipped under the Earl of Oxford ‡, and lay in wait for the return of the Dutch Eaſt India fleet. By reaſon of croſs winds, Oxford failed of his purpoſe, and the Dutch eſcaped. Some time after, one ſhip, full of riches, was taken by Vice-admiral Merwin; and it was ſtipulated by the Dutch to pay 70,000 pounds to the Engliſh company, in conſideration of the injuries, which that company had ſuſtained §. But neither this ſtipulation, nor the fear of reprizals, nor the ſenſe of that friendſhip, which ſubſiſted between England and the ſtates, could reſtrain the avidity of the Dutch company, or render them equitable in their proceedings towards their allies. Impatient to have ſole poſſeſſion of the ſpice-trade, which the Engliſh then ſhared with them, they aſſumed a juriſdiction over a factory of the latter in the iſland of Amboyna; and on very improbable, and even abſurd pretences, ſeized all the factors with their families, and put them to death with the moſt inhuman tortures. This diſmal news arrived in England at the time, when James, by the prejudices of his ſubjects and the intrigues of his favourite, was conſtrained to make a breach with Spain; and he was obliged, after ſome remonſtrances, to acquieſce in this indignity from a ſtate, whoſe alliance was now become neceſſary to him. 'Tis remarkable, that the nation, almoſt without a murmur, ſubmitted to this injury from their proteſtant confederates; an injury, which, beſides the horrid enormi-

* Stowe. † Journ. 26th Nov. 1621. ‡ In 1622. § *Johnſtoni hiſt. lib.* 19.

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Appendix. ty of the action, was of much deeper importance to national intereſt, than all thoſe which they were ſo impatient to reſent from the houſe of Auſtria.

Colonies. WHAT chiefly renders the reign of James memorable, is the commencement of the Engliſh colonies in America; colonies eſtabliſhed on the nobleſt footing, that has been known in any age or nation. The Spaniards being the firſt diſcoverers of the new world, immediately took poſſeſſion of the precious mines, which they found there; and, by the allurement of great riches, they were tempted to depopulate their own country as well as that which they conquered; and added the vice of ſloth to thoſe of avidity and barbarity, which had attended their adventurers in thoſe renowned enterprizes. That fine coaſt was entirely neglected, which reaches from St. Auguſtine to Cape Breton, and which lies in all the temperate climates, is watered by noble rivers, and offers a fertile ſoil, but nothing more, to the induſtrious planter. Peopled gradually from England by the neceſſitous and indigent, who, at home, increaſed neither wealth nor populouſneſs, the colonies, which were planted along that tract, have promoted the navigation, encouraged the induſtry, and even multiplied the inhabitants of their mother-country. The ſpirit of independency, which was reviving in England, here ſhone forth in its full luſtre, and received new acceſſion of force from the aſpiring character of thoſe, who, being diſcontented with the eſtabliſhed church and monarchy, had ſought for freedom amidſt thoſe ſavage deſarts.

QUEEN Elizabeth had done little more than given a name to the continent of Virginia; and after her planting one feeble colony, which quickly decayed, that country was entirely abandoned. But when peace put an end to the military enterprizes againſt Spain, and left ambitious ſpirits no hopes of making any longer ſuch quick advances towards honour and fortune, the nation began to ſecond the pacific intentions of its monarch, and to ſeek a ſurer, tho' ſlower expedient, for acquiring riches and glory. In 1606, Newport carried over a colony, and began a ſettlement; which the company, erected by patent for that purpoſe in London and Briſtol, took care to ſupply with yearly recruits of proviſions, utenſils, and new inhabitants. About 1609, Argal diſcovered a more direct and ſhorter paſſage to Virginia, and left the tract of the antient navigators, who had firſt directed their courſe ſouthwards to the tropic, ſailed weſtward by means of the trade-winds, and then turned northward till they reached the Engliſh ſettlements. The ſame year five hundred perſons under Sir Thomas Gates and Sir George Somers were embarked for Virginia. Somers's ſhip, meeting with a tempeſt, was driven into Bermudas, and laid the foundation of a ſettlement in thoſe iſlands. Lord Delawar afterwards undertook the government of the Engliſh colonies: But notwithſtanding all his care, ſeconded by ſupplies from James, and by money raiſed from the firſt lottery ever known in the kingdom, ſuch difficulties attended the ſettlement of theſe countries, that,

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in 1614, there were not alive more than 400 men, of all that had been ſent thither. After ſupplying themſelves with proviſions more immediately neceſſary for the ſupport of life, the new planters began the cultivating tobacco; and James, notwithſtanding his antipathy to that drug, gave them permiſſion to enter it in England; and he inhibited by proclamation all importation from Spain *. By degrees, new colonies were eſtabliſhed in that continent, and gave new names to the places where they ſettled, leaving that of Virginia to the province firſt planted. The iſland of Barbadoes was alſo planted in this reign. Appendix.

SPECULATIVE reaſoners, during that age, raiſed many objections to the planting thoſe remote colonies; and foretold, that, after draining their mother-country of inhabitants, they would ſoon ſhake off her yoke, and erect an independent government in America: But time has ſhown, that the views, entertained by thoſe who encouraged ſuch generous undertakings, were more juſt and ſolid. A mild government and great naval force have preſerved, and may long preſerve the dominion of England over her colonies. And ſuch advantage have commerce and navigation reaped from theſe eſtabliſhments, that more than a fourth of the Engliſh ſhipping is at preſent computed to be employed in carrying on the traffic with the American ſettlements.

AGRICULTURE was antiently very imperfect in England. The ſudden tranſitions, ſo often mentioned by hiſtorians, from the loweſt to the higheſt prices of grain, and the prodigious inequality of its value in different years, are ſufficient proofs, that the produce depended intirely on the ſeaſon, and that art had, as yet, done nothing to fence againſt the injuries of the heavens. During this reign, conſiderable improvements were made, as in moſt arts, ſo in this, the moſt beneficial of any. A numerous catalogue might be formed of books and pamphlets, treating of huſbandry, which were wrote about this time. The nation, however, was ſtill dependant on foreigners for daily bread; and tho' its exportation of grain now forms a conſiderable branch of its commerce, notwithſtanding its increaſe of people, there was, in that period, a regular import from the Baltic as well as from France; and if ever it ſtopped, the bad conſequences were very ſenſibly felt by the nation. Sir Walter Raleigh in his obſervations computes, that two millions went out at one time for corn. It was not till the fifth of Elizabeth, that the exportation of corn had ever been allowed in England; and Cambden obſerves, that agriculture, from that moment, received new life and vigour.

THE endeavours of James, or more properly ſpeaking thoſe of the nation, for the promotion of trade, were attended with greater ſucceſs than thoſe for the encouragement of learning. Tho' the age was by no means deſtitute of emi-

* Rymer, tom. xviii. p. 621, 633.

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Appendix. nent writers, a very bad taſte in general prevailed during that period; and the monarch himſelf was not a little infected with it.

Learning and arts. ON the origin of letters among the Greeks, the genius of poets and orators, as might naturally be expected, was diſtinguiſhed by an amiable ſimplicity, which, whatever rudeneſs may ſometimes attend it, is ſo fitted to expreſs the genuine movements of nature and paſſion, that the compoſitions, poſſeſſed of it, muſt for ever appear valuable to the diſcerning part of mankind. The glaring figures of diſcourſe, the pointed antitheſis, the unnatural conceit, the jingle of words; ſuch falſe ornaments were not employed by early writers; not becauſe they were rejected, but becauſe they ſcarce ever occurred to them. An eaſy, unforced ſtrain of ſentiment runs thro' their compoſitions; tho' at the ſame time we may obſerve, that amidſt the moſt elegant ſimplicity of thought and expreſſion, one is ſometimes ſurpriſed to meet with a poor conceit, which had preſented itſelf unſought for, and which the author had not acquired critical obſervation enough to condemn *. A bad taſte ſeizes with avidity theſe frivolous beauties, and even perhaps a good taſte, ere ſurfeited by them: They multiply every day more and more, in the faſhionable compoſitions: Nature and good ſenſe are neglected: Laboured ornaments, ſtudied and admired: And a total degeneracy of ſtyle and language prepares the way for barbariſm and ignorance. Hence the Aſiatic manner was found to depart ſo much from the ſimple purity of Athens: Hence that tinſel eloquence, which is obſervable in many of the Roman writers, from which Cicero himſelf is not wholly exempted, and which ſo much prevails in Ovid, Seneca, Lucan, Martial, and the Plinys.

ON the revival of letters, when the judgment of the public is, as yet, raw and unformed, this falſe gliſter catches the eye, and leaves no room, either in eloquence or poetry, for the durable beauties of ſolid ſenſe and lively paſſion. The reigning genius is then diametrically oppoſite to that which prevails on the firſt origin of arts. The Italian writers, 'tis evident, even the moſt celebrated, have not reached the proper ſimplicity of thought and compoſition; and in Petrarch, Taſſo, Guarini, frivolous witticiſms and forced conceits are but too predominant. The period, during which letters were cultivated in Italy, was ſo ſhort as ſcarce to allow leiſure for correcting this adulterated reliſh.

THE more early French writers are liable to the ſame reproach. Voiture, Balzac, even Corneille, have too much affected thoſe ambitious ornaments, of

* The name of Polynices, one of Œdipus's ſons, means in the original *much quarrelling*. In the altercations between the two brothers, in Æſchylus, Sophocles, and Euripide, this conceit is employed; and 'tis remarkable, that ſo poor a conundrum could not be rejected by any of theſe three poets; ſo juſtly celebrated for their taſte and ſimplicity. What could Shakeſpear have done worſe? Terence has his *inceptio eſt amentium, non avantium*. Many ſimilar inſtances will occur to the learned. 'Tis well known, that Ariſtotle treats very ſeriouſly of puns, divides them into ſeveral claſſes, and recommends the uſe of them to orators.

which

which the Italians in general, and the leaſt pure of the antients, ſupplied them with ſo many models. And it was not till late, that obſervation and reflection gave riſe to a more natural turn of thought and compoſition among that elegant people. Appendix.

A like character may be extended to the firſt Engliſh writers; ſuch as flouriſhed during the reign of Elizabeth and James, and even till long afterwards. Learning, on its revival, in this iſland, was attired in the ſame unnatural garb, which it wore at the time of its decay among the Greeks and Romans. And, what may be regarded as a misfortune, the Engliſh writers were poſſeſſed of great genius before they were endued with any degree of taſte, and by that means gave a kind of ſanction to thoſe forced turns and ſentiments, which they ſo much affected. Their diſtorted conceptions are attended with ſuch vigour of mind, that we admire the imagination which produced them, as much as we blame the want of judgment, which gave them admittance. To enter into an exact criticiſm of the writers of that age would exceed our preſent purpoſe. A ſhort character of the moſt eminent, delivered with the ſame freedom, which hiſtory exerciſes over Kings and miniſters, may not be improper. The national prepoſſeſſions, which prevail, may perhaps render the former liberty not the leaſt perilous for an author.

If Shakeſpeare be conſidered as a Man, born in a rude age, and educated in the loweſt manner, without any inſtruction, either from the world or from books, he may be regarded as a prodigy: If repreſented as a Poet, capable of furniſhing a proper entertainment to a refined or intelligent audience, we muſt abate ſomewhat of this eulogy. In his compoſitions, we regret, that many irregularities, and even ſometimes abſurdities ſhould ſo frequently disfigure the animated and paſſionate ſcenes intermixed with them; and at the ſame time, we perhaps admire the more thoſe beauties, on account of their being ſurrounded with ſuch deformities. A ſtriking peculiarity of ſentiment, adapted to a ſingular character, he frequently hits, as it were by inſpiration; but a reaſonable propriety of thought he cannot, for any time, uphold. Nervous and picturesque expreſſions as well as deſcriptions, abound in him; but 'tis in vain we look either for continued purity or ſimplicity of diction. His total ignorance of all theatrical art and conduct, however material a defect; yet, as it affects the ſpectator rather than the reader, we can more readily excuſe, than that want of taſte, which often prevails in his productions, and which gives way, only by intervals, to the irradiations of genius. A great and fertile genius he certainly poſſeſſed, and one enriched equally with a tragic and comic vein; but, he ought to be cited as a proof, how dangerous it is to rely on theſe advantages alone for the attaining an excellence in the finer arts*. And there may

* *Invenire etiam barbari ſolent, diſponere et ornare non niſi eruditus.* Plin.

Appendix. even remain a ſuſpicion, that we over-rate, if poſſible, the greatneſs of his genius; in the ſame manner as bodies often appear more gigantic, on account of their being diſproportioned and miſhapen. He died in 1617, aged 53 years.

JOHNSON poſſeſſed all the learning, which was wanting to Shakeſpeare, and wanted all the genius, of which the other was poſſeſſed. Both of them were equally deficient in taſte and elegance, in harmony and correctneſs. A ſervile copyiſt of the antients, Johnſon tranſlated into bad Engliſh, the beautiful paſſages of the Greek and Roman authors, without accommodating them to the manners of his age and country. His merit has been totally eclipſed by that of Shakeſpeare, whoſe rude genius prevailed over the rude art of his cotemporary. The Engliſh theatre has ever ſince taken a ſtrong tincture of Shakeſpeare's ſpirit and character; and thence it has proceeded, that the nation have undergone, from all their neighbours, the reproach of barbariſm, from which their many valuable productions in other parts of learning, would otherwiſe have exempted them. Johnſon had a penſion of a hundred marks from the King, which Charles afterwards augmented to a hundred pounds. He died in 1637, aged 63.

FAIRFAX has tranſlated Taſſo with an elegance and eaſe, and, at the ſame time, with an exactneſs, which, for that age, are ſurpriſing. Each line in the original is faithfully rendered by a correſpondent line in the tranſlation. Harrington's tranſlation of Arioſto is not likewiſe without its merit. 'Tis to be regretted, that theſe Poets ſhould have imitated the Italians in their ſtanza, which has a prolixity and uniformity in it, that diſpleaſes in long performances. They had otherwiſe, as well as Spencer, who went before them, contributed much to the poliſhing and refining the Engliſh verſification.

IN Donne's Satyres, when carefully inſpected, there appear ſome flaſhes of wit and ingenuity; but theſe totally ſuffocated and buried by the harſheſt and moſt uncouth expreſſion, which is any where to be met with.

IF the poetry of the Engliſh was ſo rude and imperfect during that age, we may reaſonably expect, that their proſe would be liable to ſtill greater objections. Tho' the latter appears the more eaſy, as it is the more natural method of compoſition; it has ever in practice been found the more rare and difficult; and there ſcarce is an inſtance, in any language, that it has reached a degree of perfection, before the refinement of poetical numbers and expreſſion. Engliſh proſe, during the reign of James, was wrote with little regard to the rules of grammar, and with a total diſregard of the elegance and harmony of the period. Stuffed with Latin ſentences and citations, it likewiſe imitated thoſe inverſions, which, however forcible and graceful in the antient languages, are intirely contrary to the idiom of the Engliſh. I ſhall indeed venture to affirm, that whatever uncouth phraſes and expreſſions occur in old books, they were owing chiefly

chiefly to the unformed ſtate of the author; and that the language, ſpoke in the courts of Elizabeth and James, was very little different from that which we meet with at preſent in good company. Of this opinion, the little ſcraps of ſpeeches, which are found in the parliamentary journals, and which carry an air ſo oppoſite to the laboured orations, ſeem to be a ſufficient proof; and there want not productions of that age, which, being wrote by men who were not authors by profeſſion, retain a very natural manner, and may give us ſome idea of the language, which prevailed among men of the world. I ſhall particularly mention Sir John Davis's Diſcovery, Throgmorton's, Eſſex's and Nevile's Letters. Appendix.

The great glory of literature in this iſland, during the reign of James, was my Lord Bacon. Moſt of his performances were compoſed in Latin; tho' he poſſeſſed neither the elegance of that, nor of his native tongue. If we conſider the variety of talents diſplayed by this man; as a public ſpeaker, a man of buſineſs, a wit, a courtier, a companion, an author, a philoſopher; he is juſtly the object of great admiration. If we conſider him merely as an author and philoſopher, the light, in which we view him at preſent, tho' very eſtimable, he was yet inferior to his cotemporary Galilaeo, perhaps even to Kepler. Bacon pointed out at a diſtance the road to true philoſophy: Galilaeo both pointed it out to others, and made, himſelf, conſiderable advances in it. The Engliſhman was ignorant of geometry: The Florentine revived that ſcience, excelled in it, and was the firſt, who applied it, together with experiment, to natural philoſophy. The former rejected, with the moſt poſitive diſdain, the ſyſtem of Copernicus: The latter fortified it with new proofs, derived both from reaſon and the ſenſes. Bacon's ſtyle is ſtiff and rigid: His wit, tho' often brilliant, is ſometimes unnatural and far-fetched; and he ſeems to be the original of thoſe pointed ſimilies and long-ſpun allegories, which ſo much diſtinguiſh the Engliſh authors: Galilaeo is a lively and agreeable, tho' ſomewhat a prolix writer. But Italy, not united in any ſingle government, and perhaps ſatiated with that literary glory, which it has poſſeſſed both in antient and modern times, has too much neglected the renown, which it has acquired by giving birth to ſo great a man. That national ſpirit, which prevails among the Engliſh, and which forms their great happineſs, is the cauſe, why they beſtow on all their eminent writers, and on Bacon among the reſt, ſuch praiſes and acclamations, as may often appear partial and exceſſive. He died in 1626, in the 66th year of his age.

If the reader of Raleigh's Hiſtory can have the patience to wade thro' the Jewiſh and Rabinical learning, which compoſe the half of the volume, he will find, when he comes to the Greek and Roman ſtory, that his pains are not unrewarded. Raleigh is the beſt model of that antient ſtyle, which ſome writers would affect to revive at preſent. He was beheaded in 1618, aged 66 years.

Appendix.

CAMDEN's hiſtory of Queen Elizabeth may be eſteemed good compoſition, both for the ſtyle and the matter. It is wrote with ſimplicity of expreſſion, very rare in that age, and with a regard to truth. It would not perhaps be too much to affirm, that it is among the beſt hiſtorical productions, which have yet been compoſed by any Engliſhman. 'Tis well known, that the Engliſh have not much excelled in that kind of literature. He died in 1623, aged 73 years.

WE ſhall mention the King himſelf at the end of theſe Engliſh writers; becauſe that is *his* place, when conſidered as an author. It may ſafely be affirmed, that the mediocrity of James's talent in literature, joined to the great change in national taſte, is the chief cauſe of that contempt, under which his memory labours, and which is often carried, by party-writers, to a great extreme. 'Tis remarkable, how different from ours were the ſentiments of the antients with regard to learning. Of the firſt twenty Roman emperors, counting from aeſar to Severus, above the half were authors; and tho' few of them ſeem to have been eminent in that profeſſion, it is always remarked to their praiſe, that, by their example, they encouraged literature. Not to mention Germanicus, and his daughter, Agrippina, perſons ſo nearly allied to the throne, the greater part of the claſſic writers, whoſe works remain, were men of the higheſt quality. As every human advantage is attended with inconveniences, the change of men's ideas in this particular may probably be aſcribed to the invention of printing; which has rendered books ſo common, that men even of ſlender fortunes can have acceſs to them.

THAT James was but a middling writer may be allowed: That he was a contemptible one can by no means be admitted. Whoever will read his Baſilicon Doron, particularly the two laſt books, the true law of free monarchies, his anſwer to Cardinal Perron, and almoſt all his ſpeeches and meſſages to parliament, will confeſs him to have poſſeſſed no mean genius. If he wrote concerning witches and apparitions; who, in that age, did not admit the reality of theſe fictitious beings? If he has compoſed a commentary on the Revelations, and proved the Pope to be Antichriſt; may not a ſimilar reproach be extended to the famous Napier; and even to Newton, at a time when learning was much more advanced than during the reign of James? From the groſſneſs of its ſuperſtitions, we may infer the ignorance of an age; but never ſhould pronounce concerning the folly of an individual, from his admitting popular errors, conſecrated with the appearance of religion.

SUCH a ſuperiority do the purſuits of literature poſſeſs above every other occupation, that even he, who attains but a mediocrity in them, merits the preeminence above thoſe who excel the moſt in the common and vulgar profeſſions. The ſpeaker of the houſe of commons is uſually an eminent man; yet the harangue

of

of his Majeſty we ſhall always find much ſuperior to that of the ſpeaker, in every parliament during this reign. Appendix.

EVERY ſcience, as well as polite literature, muſt be conſidered as being yet in its infancy. Scholaſtic learning and polemical divinity retarded the growth of all true knowlege. Sir Henry Saville, in the preamble of that deed, by which he annexed a ſalary to the mathematical and aſtronomical profeſſors in Oxford, ſays, that geometry was almoſt totally abandoned and unknown in England *. The beſt learning of that age, was the ſtudy of the antients. Caſaubon, eminent for this knowlege, was invited over from France by James, and encouraged by a penſion of 300 a-year, as well as by church preferments †. The famous Antonio di Dominis, Archbiſhop of Spalato, no deſpicable philoſopher, came likewiſe into England, and afforded great triumph to the nation, by their gaining ſo conſiderable a proſelyte from the papiſts. But the mortification followed ſoon after. For the Archbiſhop, tho' advanced to ſome eccleſiaſtical preferments ‡, received not encouragement, ſufficient to ſatisfy his ambition, and he made his eſcape into Italy, where, ſoon after, he died in confinement.

* Rymer, tom. xvii. p. 217. † Id. p. 709. ‡ Id. p. 95.

THE

THE HISTORY OF GREAT BRITAIN.

CHARLES I.

CHAP. I.

A parliament at Weſtminſter.——At Oxford.——Naval expedition againſt Spain.——Second parliament.——Impeachment of Buckingham.——Violent meaſures of the court.——War with France.——Expedition to the iſle of Rhe.

NO ſooner had Charles taken into his hands the reins of government, than he ſhewed an impatience to aſſemble the great council of the nation; and he would gladly, for the ſake of diſpatch, have called together the ſame parliament, which had ſat under his father, and which lay, at that time, under prorogation. But being told, that this meaſure would appear unuſual, he iſſued writs for the ſummoning a new parliament on the 7th of May; and it was not without regret, that the arrival of the Princeſs Henrietta, whom he had eſpouſed by proxy, obliged him to delay, by repeated prorogations, their meeting till the eighteenth of June, when they aſſembled at Weſtminſter for the diſpatch of buſineſs. The young Prince, unexperienced and impolitic, regarded as ſincere all the praiſes and careſſes, with which he had been loaded, while active in procuring the rupture with the houſe of Auſtria. And beſides that he laboured under great neceſſities, he haſtened with alacrity to a period, when he might receive the moſt undoubted teſtimonies of the dutiful attachment of his ſubjects. His diſcourſe

1625. March 27.

18th of June. A parliament at Weſtminſter.

Chap. I. 1625.

courſe to the Parliament was full of ſimplicity and cordiality. He lightly mentioned the occaſion, which he had for ſupply †. He employed no intrigue to influence the ſuffrages of the members. He would not even allow the officers of the crown, who had ſeats in the houſe, to mention any particular ſum, which might be expected by him. Secure of the affections of the commons, he was reſolved, that their bounty ſhould be intirely their own deed; unaſked, unſolicited; the genuine fruit of ſincere confidence and regard.

THE houſe of commons accordingly took into conſideration the buſineſs of ſupply. They knew, that all the money, granted by the laſt parliament, had been expended on naval and military armaments; and that great anticipations were likewiſe made on the revenues of the crown. They were not ignorant, that Charles was loaded with a large debt, contracted by his father, who had borrowed money both from his own ſubjects and from foreign princes. They had learned by experience, that the public revenues could with difficulty maintain the dignity of the crown, even under the ordinary charges of government. They were ſenſible, that the preſent war was, very lately, the reſult of their own importunate applications and entreaties, and that they had ſolemnly engaged to ſupport their ſovereign in the management of it. They were acquainted with the difficulty of military enterprizes, directed againſt the whole houſe of Auſtria; againſt the King of Spain, poſſeſſed of the greateſt riches and moſt extenſive dominions of any prince in Europe; againſt the Emperor Ferdinand, hitherto the moſt fortunate monarch of his age, who had ſubdued and aſtoniſhed Germany by the rapidity of his victories. Deep impreſſions, they ſaw, muſt be made by the Engliſh ſword, and a vigorous offenſive war be waged againſt theſe mighty potentates, ere they would reſign a principality, which they had now fully ſubdued, and which they held in ſecure poſſeſſion, by its being ſurrounded with all their other territories.

TO anſwer, therefore, all theſe great and important ends; to ſatisfy their young King in the firſt requeſt, which he made them; to prove their ſenſe of the many royal virtues, particularly oeconomy, with which Charles was endued; the houſe of commons, conducted by the wiſeſt and ableſt ſenators, that had ever flouriſhed in England; thought proper to confer on the King a ſupply of two ſubſidies, amounting to 112,000 pounds ‡.

THIS meaſure, which diſcovers rather a cruel mockery of Charles, than any ſerious deſign of ſupporting him, appears ſo extraordinary, when conſidered in all its circumſtances, that it naturally ſummons up our attention, and raiſes an inquiry concerning the cauſes of a conduct, unprecedented in an Engliſh parliament. So numerous an aſſembly, compoſed of perſons of various diſpoſitions,

† Ruſhw. vol. i. p. 171. Parl. Hiſtory, vol. vi. p. 346. Franklyn, p 108.

‡ A ſubſidy was now fallen to about 56,000 pounds. Cabbala, p. 224. firſt edit.

were

were not, 'tis probable, all influenced by the ſame motives; and few declared openly their true reaſon. We ſhall, therefore, approach nearer the truth, if we mention all the views, which the preſent conjuncture could ſuggeſt to them. Chap. I. 1625.

It is not to be doubted, but ſpleen and ill-will againſt the Duke of Buckingham had a great influence with many. So vaſt and rapid a fortune, ſo little merited, could not fail to excite public envy; and, however men's hatred might have been ſuſpended for a moment, while the Duke's conduct ſeemed to gratify their paſſions and their prejudices, it was impoſſible for him long to preſerve the affections of the people. His influence over the modeſty of Charles exceeded even that which he had acquired over the weakneſs of James; nor was any public meaſure conducted but by his counſel and direction. His impetuous temper prompted him to raiſe ſuddenly, to the higheſt elevation, his flatterers and dependants: And, upon the leaſt occaſion of diſpleaſure, he threw them down with equal fury and violence. Implacable in his hatred; fickle in his friendſhips: All men were either regarded as his enemies, or dreaded ſoon to become ſuch. The whole power of the kingdom was graſped by his inſatiable hand; while he both engroſſed the intire confidence of his maſter, and held, inveſted in his ſingle perſon, the moſt conſiderable offices of the crown.

However the ill humour of the commons might have been increaſed by theſe conſiderations, we are not to ſuppoſe them the ſole motives. The laſt parliament of James, amidſt all their joy and feſtivity, had given him a ſupply very diſproportioned to his demand and to the occaſion. And, as every houſe of commons, which was elected during forty years, ſucceeded to all the paſſions and principles of their predeceſſors; we ought rather to account for this obſtinacy from the general ſituation of the kingdom during that whole period, than from any circumſtances which attended this immediate conjuncture.

The nation were very little accuſtomed, at that time, to the burthen of taxes, and had never opened their purſes, in any degree, for the ſupplying their ſovereign. Even Elizabeth, notwithſtanding her vigour and frugality, and the neceſſary wars, in which ſhe was engaged, had great reaſon to complain of the commons in this particular; nor could the authority of that Princeſs, which was otherwiſe almoſt abſolute, ever extort from them the requiſite ſupply of money. Habits, more than reaſon, we find, in every thing, to be the governing principle of mankind. In this view likewiſe the ſinking of the value of ſubſidies muſt be conſidered as a loſs to the King. The parliament, ſwayed by cuſtom, would not augment their number in the ſame proportion.

The puritanical party, tho' diſguiſed, had a very great authority over the kingdom; and many of the leaders among the commons had ſecretly embraced the rigid tenets of that ſect. All theſe were diſguſted with the court, both by

Chap. I. 1625.

the prevalence of the principles of civil liberty, eſſential to their party, and on account of the reſtraint, under which they were held by the eſtabliſhed hierarchy. In order to fortify himſelf againſt the reſentment of James, Buckingham had affected popularity, and entered into the cabals of the puritans: But, being ſecure of the confidence of Charles, he had ſince abandoned that party; and, on that account, was the more expoſed to their hatred and reſentment. Tho' the religious ſchemes of many of the puritans, when explained, appear pretty frivolous, we are not thence to imagine, that they were purſued by none but perſons of weak underſtanding. Some men of the greateſt parts and moſt extenſive knowledge, whom the nation, at that time, produced, could not enjoy any peace of mind; becauſe obliged to hear prayers offered up to the Divinity, by a prieſt, covered with a white linen veſtment.

THE match with France, and the articles in favour of catholics, which were ſuſpected to be in the treaty, were likewiſe cauſes of diſguſt to this whole party: Tho' it muſt be remarked, that the alliance with that crown was infinitely leſs obnoxious to the proteſtants, and leſs favourable to the catholics, than that formerly projected with Spain, and was therefore received rather with pleaſure than diſſatisfaction.

To all theſe cauſes we muſt yet add another of conſiderable moment. The houſe of commons, we may obſerve, were almoſt intirely governed by a ſet of men of the moſt uncommon capacity and the largeſt views: Men, who were now formed into a regular party, and united, as well by fixed aims and projects, as by the hardſhips, which ſome of them had undergone in proſecution of them. Among theſe we may mention the names of Sir Edward Coke, Sir Edwin Sandys, Sir Robert Philips, Sir Francis Seymour, Sir Dudley Digges, Sir John Elliot, Sir Thomas Wentworth, Mr. Selden, Mr. Pym. Animated with a warm regard to liberty, theſe generous patriots ſaw, with regret, an unbounded power exerciſed by the crown, and were reſolved to ſeize the opportunity, which the King's neceſſities afforded them, of reducing the prerogative within more reaſonable compaſs. Tho' their anceſtors had blindly given way to practices and precedents favourable to kingly power, and had been able, notwithſtanding, to preſerve ſome ſmall remains of liberty; it would be impoſſible, they thought, when all theſe pretenſions were methodized and proſecuted by the increaſing knowledge of the age, to maintain any ſhadow of popular government, in oppoſition to ſuch unlimited authority in the ſovereign. It was neceſſary to fix a choice: Either to abandon intirely the privileges of the people, or to ſecure them by firmer and more preciſe barriers than the conſtitution had hitherto provided for them. In this dilemma, men of ſuch aſpiring genius and ſuch independent fortunes could not long deliberate: They boldly embraced the ſide of freedom, and reſolved to grant no ſupplies to their neceſſitous Prince, without extorting conceſſions in favour of civil liberty.

liberty. The end, they eſteemed beneficent and noble: The means, regular and conſtitutional. To grant or refuſe ſupplies was the undoubted privilege of the commons. And as all human governments, particularly thoſe of a mixed frame, are in continual fluctuation; it was as natural, in their opinion, and allowable, for popular aſſemblies to take advantage of favourable incidents, in order to ſecure the ſubjects; as for monarchs, in order to extend their own authority. With pleaſure, they beheld the King involved in a foreign war, which rendered him, every day, more dependant on the parliament; while, at the ſame time, the ſituation of the kingdom, even without any military preparations, gave it ſufficient ſecurity againſt all invaſion from foreigners. And perhaps, it had partly proceeded from expectations of this nature, that the popular leaders had been ſo urgent for a rupture with Spain; nor is it credible, that religious zeal could ſo far have blinded all of them as to make them diſcover, in ſuch a meaſure, any appearance of neceſſity, or any hopes of ſucceſs. Chap. I. 1625.

But, however natural all theſe ſentiments might appear to the country-party, it is not to be imagined, that Charles would entertain the ſame ideas. Strongly prejudiced in favour of the Duke, whom he had heard ſo highly extolled in parliament, he could not conjecture the cauſe of ſo ſudden an alteration in their opinions. And when the war, which they themſelves had ſo earneſtly ſolicited, was, at laſt, commenced, the immediate deſertion of their ſovereign could not but ſeem very ſtrange and unaccountable. Even tho' no farther motive had been ſuſpected, the refuſal of ſupply, in ſuch circumſtances, would naturally to him appear cruel and deceitful: But when he perceived that this meaſure proceeded from an intention of encroaching on his authority, he failed not to regard theſe aims as highly criminal and traiterous. Thoſe lofty ideas of monarchical power, which were very commonly adopted during that age, and to which the ambiguous nature of the Engliſh conſtitution gave ſo plauſible an appearance, were firmly rivetted in Charles; and however moderate his temper, the natural and unavoidable prepoſſeſſions of ſelf-love, joined to the late uniform precedents in favour of prerogative, had made him conceive his political tenets as certain and uncontroverted. Taught to regard even the antient laws and conſtitution more as lines to direct his conduct than barriers to withſtand his power; a conſpiracy to erect new ramparts, in order to ſtraiten his authority, appeared but one degree removed from open ſedition and rebellion. So atrocious in his eyes was ſuch a deſign, that he ſeems even unwilling to impute it to the commons: And tho' he was obliged to adjourn the parliament by reaſon of the plague, which, at that time, raged in London; he immediately re-aſſembled them at Oxford, and made a new attempt to gain from them ſome ſupplies in ſuch an urgent neceſſity. 11th of July. 1ſt of Auguſt.

Charles now found himſelf obliged to depart from that delicacy, which he had formerly maintained. By himſelf or his miniſters, he entered into a particu- Parliament at Oxford.

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lar detail, both of the alliances, which he had formed, and of the military operations, which he had projected *. He told the parliament, That, by a promiſe of ſubſidies, he had engaged the King of Denmark to take part in the war; that that monarch intended to enter Germany by the north, and to rouze to war thoſe princes, who impatiently longed for an opportunity of aſſerting the liberty of the empire; that Mansfeldt had undertaken to penetrate with an Engliſh army into the Palatinate, and by that quarter to excite the members of the evangelical union; that the ſtates muſt be ſupported in the unequal warfare, which they maintained with Spain; that no leſs a ſum than 700,000 pounds a-year had been found, by computation, requiſite for all theſe purpoſes; that the maintenance of the fleet and the defence of Ireland demanded an annual expence of 400,000 pounds; that he himſelf had already exhauſted and anticipated, in the public ſervice, his whole revenue, and had ſcarce left ſufficient for the daily ſubſiſtence of himſelf and of his family †; that, on his acceſſion to the crown, he found a debt of above 300,000 pounds, contracted by his father, in ſupport of the Palatine; and that, while Prince of Wales, he had himſelf contracted debts, notwithſtanding his great frugality, to the amount of 70,000 pounds, which he had expended entirely on naval and military armaments. After mentioning all theſe facts, the King even condeſcended to uſe entreaties. He ſaid, that this requeſt was the firſt, which he had ever made them: that he was young and in the commencement of his reign; and, if he now met with kind and dutiful uſage, it would endear to him the uſe of parliaments, and would, for ever, preſerve an intire harmony between him and his people ‡.

To theſe reaſons the commons remained inexorable. Notwithſtanding that the King's meaſures, on the ſuppoſition of a foreign war, which they had conſtantly demanded, were altogether unexceptionable, they obſtinately refuſed any farther aſſiſtance. Some members, favourable to the court, having inſiſted on an addition of two fifteenths to the former ſupply, even this pittance was refuſed ‖; tho' it was known, that a fleet and army were lying at Portſmouth, in great want of pay and proviſions, and that Buckingham, the admiral, and the treaſurer of the navy had advanced on their own credit near an hundred thouſand pounds for the ſea-ſervice §. Beſides all their other motives, the houſe of commons had made a new diſcovery, which, as they wanted but a pretence for their refuſal, enflamed them againſt the court and againſt the Duke of Buckingham.

When James deſerted the Spaniſh alliance, and courted that of France, he had promiſed to furniſh Louis, who was intirely deſtitute of naval force, with

* Dugdale, p. 25, 26. † Parl. Hiſt. vol. vi. p. 396.

‡ Ruſhworth, vol. i. p. 177, 178, &c. Parl. Hiſt. vol. vi. p. 399. Franklyn, p. 108, 109. Journ. 10th Aug. 1625.

‖ Ruſhw. vol. i. p. 190. § Parl. Hiſt. vol. vi. p. 390.

one ſhip of war, and ſeven armed veſſels, hired from the merchants. Theſe the French court had pretended they would employ againſt the Genoeſe, who, being firm and uſeful allies to the Spaniſh monarchy, were naturally regarded with an evil eye, both by the King of France and of England. When theſe veſſels, by Charles's orders, arrived at Diepe, there aroſe a ſtrong ſuſpicion, that they were to ſerve againſt Rochelle. The ſailors were enflamed. That race of men, who are at preſent both careleſs and ignorant in all matters of religion, were, at that time, only ignorant. They drew up a remonſtrance to Pennington, their commander; and, ſigning all their names in a circle, leſt he ſhould diſcover the ring-leaders, they laid it under his prayer-book. Pennington declared, that he would rather be hanged in England for diſobedience, than fight againſt his brother proteſtants in France. The whole ſquadron ſailed immediately to the Downs. There, they received new orders from Buckingham, Lord admiral, to return to Diepe. As the Duke knew, that authority alone would not ſuffice, he employed much art and many ſubtilties, to engage them to obedience; and a rumour, which was ſpread, that peace had been concluded between the French King and the hugonots, aſſiſted him in his purpoſe. When they arrived at Diepe, they found that they had been deceived. Sir Ferdinando Gorges, who commanded one of the veſſels, broke thro' and returned to England. All the officers and ſailors of all the other ſhips, notwithſtanding great offers made them by the French, immediately deſerted. One gunner alone preferred duty towards his King to the cauſe of religion; and he was afterwards killed in charging a cannon before Rochelle *. The care, which hiſtorians have taken to record this frivolous event, ſhows with what pleaſure the news was received by the whole nation. Chap. I. 1625.

The houſe of commons, when informed of theſe tranſactions, ſhowed the ſame attachment with the ſailors for the proteſtant religion; nor was their zeal much better guided by reaſon and ſound policy. It was not conſidered, that, if the force of Spain was really ſo exorbitant as they imagined, the French monarch was the only prince, who could oppoſe its progreſs, and preſerve the balance of Europe; that his power was at preſent fettered by the hugonots, who, being poſſeſſed of many privileges and even of fortified towns, formed an empire within his empire, and kept him in perpetual jealouſy and inquietude; that an inſurrection had been, at that time, wantonly and voluntarily, formed by their leaders, who being diſguſted in ſome court-intrigue, took advantage of the never-failing pretence of religion, in order to cover their rebellion; that the Dutch, influenced by theſe views, had ordered a ſquadron of twenty ſhips to join the French fleet, employed againſt the inhabitants of Rochelle †; that the Spaniſh monarch, ſenſible of the ſame conſequences, ſecretly ſupported the proteſtants in

* Franklyn, p. 109. Ruſhworth, vol. i. p. 175, 176, &c. 325, 326, &c.

† Journal, 18th April 1626.

France;

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France; and that all princes had ever ſacrificed, to reaſons of ſtate, the intereſt of their religion in foreign countries. All theſe obvious conſiderations had no influence. Great murmurs and diſcontents ſtill prevailed in parliament. The hugonots, tho' they had no ground of complaint againſt the French Court, were thought to be as much intitled to aſſiſtance from England, as if they had taken arms in defence of their liberties and religion againſt the perſecuting rage of the catholics. And it plainly appears, from this incident, as well as from many others, that, of all European nations, the Britiſh were, at that time, and till long after, the moſt under the influence of that religious ſpirit, which tends rather to inflame bigotry than encreaſe peace and mutual charity.

ON this occaſion, the commons renewed their eternal complaints againſt the growth of popery, which was ever the chief of their grievances, and now their only one *. They demanded a ſtrict execution of the penal laws againſt the catholics, and remonſtrated againſt ſome late pardons which had been granted to prieſts †. They attacked Montague, one of the King's chaplains, on account of a moderate book, which he had lately compoſed, and which, to their great diſguſt, ſaved virtuous catholics, as well as other chriſtians, from eternal torments ‡. Charles gave them a gracious and a compliant anſwer to all their remonſtrances. He was, however, in his heart, extremely averſe to theſe furious meaſures. Tho' a determined proteſtant, by principle as well as inclination, he had entertained no violent horror againſt popery; and a little humanity he thought, was due by the nation to the religion of their anceſtors. That degree of liberty, which is now indulged to catholics, tho' a party much more obnoxious than during the reign of the Stuarts; it ſuited neither with Charles's ſentiments, nor the humour of the age to allow them. An abatement of the more rigorous laws was all he intended; and his engagements with France, notwithſtanding that their regular execution had never been propoſed nor expected, required of him ſome indulgence. But ſo unfortunate was this Prince, that no meaſure, embraced during his whole reign, was ever attended with more unhappy and more fatal conſequences.

THE extreme rage againſt popery was a ſure characteriſtic of puritaniſm. This houſe of commons diſcovered other infallible ſymptoms of the prevalence of that party. They petitioned the King for replacing ſuch able clergy as had been ſilenced for want of conformity to the ceremonies ‖. They alſo enacted laws for the ſtrict obſervance of Sunday, which the puritans affected to call the Sabbath, and which they ſanctified by the moſt melancholy indolence §. 'Tis to be re-

* Franklyn, p. 3, &c. † Parl. Hiſt. vol. vi. p. 374. Journal, 1ſt Auguſt, 1625. ‡ Parl. Hiſt. vol. vi. p. 353. Journal, 7th July, 1625. ‖ Ruſhworth, vol. i. p. 281. § 1 Car. i. cap. 1. Journal, 21ſt June, 1625.

marked

marked, that the different appellations of this feſtival were, at that time, known ſymbols of the different parties. Chap. I. 1625.

THE King finding, that the parliament were reſolved to grant him no ſupply, and would furniſh him with nothing but empty proteſtations of duty *, or diſagreeable complaints of grievances; took advantage of the plague †, which began to appear at Oxford, and, on that pretence, immediately diſſolved them. By finiſhing the ſeſſion with a diſſolution, inſtead of a prorogation, he ſufficiently expreſſed his diſpleaſure at their conduct.

To ſupply the want of parliamentary aids, Charles iſſued privy ſeals for borrowing money from his ſubjects ‡. The advantage reaped by this levy was a ſmall compenſation for the diſguſt which it occaſioned. By means, however, of that ſupply, and by other expedients, he was, tho' with difficulty, enabled to equip his fleet. It conſiſted of eighty veſſels, great and ſmall; and carried on board an army of 10,000 men. Sir Edward Cecil, lately created viſcount Wimbleton, was entruſted with the command. He ſailed immediately for Cadiz, and found the bay full of Spaniſh ſhips of great value. He either neglected to attack theſe ſhips, or attempted it prepoſterouſly. The army was landed, and a fort taken: But the undiſciplined ſoldiers, finding ſtore of wine, could not be reſtrained from the utmoſt exceſſes. Farther ſtay appearing fruitleſs, they were re-imbarked; and the fleet put to ſea with an intention of waiting for the Spaniſh galleons. But the plague having ſeized the ſeamen and ſoldiers, they were obliged to abandon all hopes of this prize, and return to England. Loud complaints were made againſt the court for entruſting ſo important a command to a man like Cecil, whom, tho' he poſſeſſed great experience, the people, judging by the event, eſteemed of very ſlender capacity §.

Auguſt 12.

October 1.

Naval expedition againſt Spain.

November.

CHARLES, having failed of ſo rich a prize, was obliged again to have recourſe to a parliament. Tho' the ill ſucceſs of his enterprizes diminiſhed his authority, and ſhowed, every day, more plainly the imprudence of the Spaniſh war; tho' the increaſe of his neceſſities rendered him more dependant, and more expoſed to the encroachments of the commons; he was reſolved to try once more that regular and conſtitutional expedient for ſupply. Perhaps too, a little political art, which at that time he practiſed, was much truſted to. He had named four popular leaders ſheriffs of Counties; Sir Edward Coke, Sir Robert Philips, Sir Thomas

1626.

Second parliament.

* Franklyn, p. 113. Ruſhworth, vol. i. p. 190.

† The plague was really ſo violent, that it had been moved in the houſe at the beginning of the ſeſſions to petition the King to adjourn them. Journal, 21ſt June, 1625. So it was impoſſible to enter upon grievances, even if there had been any. The only buſineſs of the parliament was to give ſupply, which was ſo much wanted by the King, in order to carry on the war, in which they had engaged him.

‡ Ruſhworth, vol. i. p. 192. Parl. Hiſt. vol. vi. p. 407.

§ Franklyn, p. 113. Ruſhworth, vol. i. p. 196.

Went-

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Wentworth, Sir Francis Seymour; and tho' this queſtion had been formerly much conteſted *, he thought, that he had, by that means, incapacitated them for being elected members. But this intention, being ſo evident, rather put the commons more upon their guard. Enow of patriots ſtill remained to keep up the ill humour of the houſe; and men needed but little inſtruction or rhetoric to recommend to them practices, which increaſed their own importance and conſideration. The weakneſs of the court alſo could not more evidently appear, than by its being reduced to ſo ineffectual an expedient, in order to obtain an influence over the commons.

February 6.

THE views, therefore, of the laſt parliament were immediately adopted; as if the ſame men had been every where elected, and no time had intervened ſince their laſt meeting. When the King laid before the houſe his neceſſities, and aſked for ſupply, they immediately voted him three ſubſidies and three fifteenths; and tho' they afterwards added one ſubſidy more, the ſum was little proportioned to the greatneſs of the occaſion, and ill fitted to promote thoſe views of ſucceſs and glory, for which the young Prince, in his firſt enterprize, ſo ardently longed. But this circumſtance was not the moſt diſagreeable one. The ſupply was only voted by the commons. The paſſing that vote into a law was reſerved till the end of the ſeſſion †. A condition was thereby made, in a very undiſguiſed manner, with their ſovereign. Under colour of redreſſing grievances, which, during this ſhort reign, could not be very numerous; they were to proceed in regulating and controuling every part of government, which diſpleaſed them: And if the King either cut them ſhort in this undertaking, or refuſed compliance with their demands, he muſt lay his account with the want of all ſupply. Great diſſatisfaction was expreſſed by Charles with a method of treatment, which he deemed ſo harſh and undutiful ‡: But his urgent neceſſities obliged him to ſubmit; and he waited with patience, obſerving to what ſide they would turn themſelves.

Impeachment of Buckingham.

THE Duke of Buckingham, formerly obnoxious to the public, became every day more odious, by the ſymptoms, which appeared, both of his want of temper and prudence, and of the uncontrouled aſcendant, which he had acquired over his maſter §. Two violent attacks he was obliged this ſeſſion to ſuſtain; one from the earl of Briſtol, another from the houſe of commons.

* It is always an expreſs clauſe in the writ of ſummons, that no ſheriff ſhall be choſen; but the contrary practice had often prevailed. D'Ewes, p. 38. Yet ſtill great doubts were entertained on this head. See Journal, 9th April, 1614.

† Journal, 27th March, 1626. ‡ Parl. Hiſt. vol. vi. p. 449. Ruſhworth, vol. i. p 224.

§ His credit with the King had given him ſuch influence, that he had no leſs than twenty proxies granted him this parliament by ſo many peers; which occaſioned a vote, that no peer ſhould have above two proxies. The earl of Leiceſter in 1585 had once ten proxies. D'Ewes, p. 314.

As

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As long as James lived, Briſtol, ſecure of the concealed favour of that monarch, had expreſſed all duty and obedience; in expectation, that an opportunity would offer of re-inſtating himſelf in his former credit and authority. Even after Charles's acceſſion, he deſpaired not. He ſubmitted to the King's order of remaining in his country-ſeat, and of abſenting himſelf from parliament. Many trials he made to regain the good opinion of his maſter; but finding them all fruitleſs, and obſerving Charles to be intirely governed by Buckingham, his implacable enemy, he reſolved no longer to keep any meaſures with the court. A new ſpirit, he ſaw, and a new power, ariſing in the nation; and to theſe he was reſolved, for the future, to truſt for his ſecurity and protection.

When the parliament was ſummoned, Charles, by a ſtretch of prerogative, had given orders, that no writ, as is cuſtomary, ſhould be ſent to Briſtol *. That Nobleman applied to the houſe of lords by petition; and craved their good offices with the King for obtaining what was his due as a peer of the realm. His writ was ſent him; but accompanied with a letter from the Lord keeper, Coventry, commanding him, in the King's name, to abſent himſelf from parliament. This letter Briſtol conveyed to the lords, and aſked advice how to proceed in ſo delicate a ſituation †. The King's prohibition was withdrawn, and Briſtol took his ſeat. Provoked at theſe repeated inſtances of vigour, which the court denominated contumacy, Charles ordered his attorney general to enter an accuſation of high treaſon againſt him. By way of recrimination, Briſtol impeached Buckingham of high treaſon. The Earl's defence of himſelf and accuſation of the Duke both remain ‡; and together with ſome original letters ſtill extant, contain the fulleſt and moſt authentic account of all the negotiations with the houſe of Auſtria. From the whole, the great imprudence of the Duke evidently appears, and the ſway of his ungovernable paſſions; but it would be difficult to collect thence any action, which, in the eye of the law, could be deemed a crime; much leſs could ſubject him to the penalty of high treaſon.

The impeachment of the commons was ſtill leſs dangerous to the Duke, were it eſtimated by the ſtandard of law and equity. The houſe, after having voted, upon ſome queries of Dr. Turner's, *that common fame was a ſufficient ground of accuſation by the commons* §, proceeded to frame regular articles againſt Buckingham. They accuſed him of having united many offices in his perſon; of having bought two of them; of neglecting to guard the ſeas, inſomuch that many merchant-ſhips had fallen into the hands of the enemy; of delivering ſhips to the French King, in order to ſerve againſt the hugonots; of being employed in the ſale of honours

* Ruſhworth, vol. i. p. 236. † Ruſhworth, vol. i. p. 237. Franklyn, p. 120, &c. ‡ Ruſhworth, vol. i. p. 256, &c. 262, 263, &c. Franklyn, p. 123, &c. § Ruſhworth, vol. i. p 217. Whitlocke, p. 5.

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and offices; of accepting extenſive grants from the crown; of procuring many titles of honour for his kindred; of adminiſtring phyſic to the late King without acquainting his phyſicians. All theſe articles appear, from comparing the accuſation and reply, to be either frivolous, or falſe, or both *. The only charge, which could be regarded as important, was, that he had extorted a ſum of ten thouſand pounds from the Eaſt-India company, and that he had confiſcated ſome goods belonging to French merchants, on pretence of their being the property of Spaniſh. The impeachment never came to a full determination; ſo that it is difficult for us to give a deciſive opinion with regard to theſe articles: But it muſt be confeſſed, that the Duke's anſwer, in theſe particulars, as in all the reſt, is ſo clear and ſatisfactory, that it is impoſſible to refuſe our aſſent to it †. His faults and blemiſhes were, in many reſpects, very great; but rapacity and avarice were vices, with which he was intirely unacquainted.

'Tis remarkable, that the commons, tho' ſo much at a loſs to find articles of charge againſt Buckingham, never adopted Briſtol's accuſation, or impeached the Duke for his conduct in the Spaniſh treaty, the moſt blameable circumſtance of his whole life. He had reaſon to believe the Spaniards ſincere in their profeſſions; yet, in order to gratify his private paſſions, he had hurried his maſter and his country into a war pernicious to the intereſts of both. But ſo rivetted throughout the nation were the prejudices with regard to Spaniſh deceit and falſhood, that very few of the commons ſeem, as yet, to have been convinced, that they had been ſeduced by Buckingham's narrative: A certain proof, that a diſcovery of this nature was not, as is imagined by ſeveral hiſtorians, the cauſe of ſo ſudden and ſurprizing a variation in the meaſures of the parliament ‡.

WHILE

* Ruſhworth, vol. i. p. 306, &c. 375, &c. Journal, 25th March, 1626. † Whitlocke, p. 7.

‡ By a ſpeech of Sir Simon D'Ewes, in the firſt year of the long parliament, it clearly appears, that the nation never had, even to that time, been rightly inſtructed in the tranſactions of the Spaniſh negotiation, and ſtill believed the court of Madrid to have been altogether inſincere in all their profeſſions. What reaſon, upon that ſuppoſition, had they to blame either the Prince or Buckingham for their conduct, or for the narrative delivered to the parliament? This is a capital fact, and ought to be well attended to. D'Ewes's ſpeech is in Nalſon, vol. ii. p. 368. No author or hiſtorian of that age mentions the diſcovery of Buckingham's impoſtures as a cauſe of diſguſt in the parliament. Whitlocke, p. 1. only ſays, that the commons began to ſuſpect, *that it had been ſpleen in Buckingham*, not zeal for public good, *which had induced him to break the Spaniſh match*: A clear proof that his falſhood was not ſuſpected. Wilſon, p. 780, ſays, that Buckingham loſt his popularity, after Briſtol arrived, not becauſe that nobleman diſcovered the falſhood of his narrative, but becauſe he proved, that Buckingham, while in Spain, had profeſſed himſelf a papiſt; which is falſe, and which was never ſaid by Briſtol. In all the debates which remain, not the leaſt hint is ever given, that any falſhood was ſuſpected in the narrative. I ſhall farther add, that even if the parliament had diſcovered the deceit in Buckingham's narrative, this ought not to have altered their political meaſures, or made them refuſe ſupply to the King. They had ſuppoſed it practicable to wreſt the palatinate from the houſe of Auſtria; they

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WHILE the commons were thus warmly engaged againſt Buckingham, the King ſeemed deſirous of embracing every opportunity, by which he could expreſs a contempt and diſregard for them. No one was, at that time, ſufficiently ſenſible of the great weight, which the commons bore in the balance of the conſtitution. The hiſtory of England had never hitherto afforded an inſtance, where any great movement or revolution had proceeded from the lower houſe. And as their rank both conſidered in a body and as individuals, was but the ſecond in the kingdom; nothing leſs than fatal experience could engage the Engliſh princes to pay a due regard to the inclinations of that formidable aſſembly.

THE Earl of Suffolk, chancellor of the univerſity of Cambridge, dying about this time, Buckingham, tho' lying under impeachment, was yet, by means of court-intereſt, choſen in his place. The commons reſented and loudly complained of this affront; and the more to enrage them, the king himſelf wrote a letter to the univerſity, extolling the Duke, and giving them thanks for his election *.

THE Lord keeper, in the King's name, commanded the houſe expreſly not to meddle with his miniſter and ſervant, Buckingham; and ordered them to finiſh in a few days, the bill, which they had begun for the ſubſidies, and to make ſome addition to them; otherwiſe they muſt expect to ſit no longer †. And tho' theſe harſh commands were endeavoured to be explained and mollified, a few days afterwards, by a ſpeech of Buckingham ‡, they failed not to leave a very diſagreeable impreſſion behind them.

BESIDES a more ſtately ſtyle, which Charles, in general, affected to this parliament, than to the laſt, he went ſo far, in a meſſage, as to threaten the commons, that if they did not furniſh him with ſupplies, he would be obliged to try *new*

they had repreſented it as prudent to expend the blood and treaſure of the nation on ſuch an enterprize; they had believed that the King of Spain never had any ſincere intention of reſtoring that principality. 'Tis certain that he had not now any ſuch intention: And tho' there was reaſon to ſuſpect, that this alteration of his views had proceeded from the ill conduct of Buckingham, yet paſt errors could not be retrieved; and the nation was undoubtedly in the ſame ſituation, which the parliament had ever ſuppoſed, when they ſo much harraſſed their ſovereign, by their impatient, importunate, and even undutiful ſolicitations. To which we may add, that Charles himſelf was certainly deceived by Buckingham, when he corroborated his favourite's narrative by his teſtimony. Party hiſtorians are ſomewhat inconſiſtent in their repreſentations of theſe tranſactions: They repreſent the Spaniards as totally inſincere, that they may reproach James with credulity in being ſo long deceived by them: They repreſent them as ſincere, that they may reproach the King, the Prince, and the Duke, with falſhood in their narrative to the parliament. The truth is, they were inſincere at firſt, but the reaſons, proceeding from bigotry, were not ſuſpected by James, and were at laſt overcome. They became ſincere, but the Prince, deceived by the many unavoidable cauſes of delay, believed that they were ſtill deceiving him.

* Ruſhworth, vol. i. p. 371. † Parl. Hiſt. vol. vi. p. 444. ‡ Parl. Hiſt. vol. vi. p. 451. Ruſhworth, vol. i. p. 225. Franklyn, p. 118.

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councils. This language was ſufficiently clear: Yet, leſt any ambiguity ſhould remain, Sir Dudley Carleton, vice chamberlain, took care to explain it. "I "pray you conſider," ſaid he, "what theſe new councils are or may be. I fear "to declare thoſe that I conceive. In all chriſtian kingdoms, you know, that "parliaments were in uſe antiently, by which thoſe kingdoms were governed in "a moſt flouriſhing manner; until the monarchs began to know their own "ſtrength, and ſeeing the turbulent ſpirit of their parliaments, at length they, "by little and little, began to ſtand on their prerogatives, and at laſt overthrew "the parliaments, throughout Chriſtendom, except here only with us. —— "Let us be careful then to preſerve the King's good opinion of parliaments, "which bringeth ſuch happineſs to this nation, and makes us envied of all others, "while there is this ſweetneſs between his Majeſty and the commons; leſt we "loſe the repute of a free people by our turbulency in parliament*." Theſe imprudent ſuggeſtions rather gave warning than ſtruck terror. A precarious liberty, the commons thought, which was to be preſerved by unlimited complaiſance, was no liberty at all. And it was neceſſary, while yet in their power, to ſecure the conſtitution by ſuch invincible barriers, that no King or miniſter ſhould ever, for the future, dare to ſpeak ſuch a language to any parliament, or even to entertain ſuch a project againſt them.

Two members of the houſe, Sir Dudley Digges and Sir John Elliot, who had been employed as managers of the impeachment againſt the Duke, were thrown into priſon †. The commons immediately declared, that they would proceed no farther upon buſineſs till they had ſatisfaction in their privileges. Charles alleged, as the reaſon of this violent meaſure, certain ſeditious expreſſions, which, he ſaid, had, in their accuſation of the Duke, dropped from theſe members. Upon inquiry, it appeared, that no ſuch expreſſions had been uſed ‡. The members were releaſed; and the King reaped no farther benefit from this attempt than to exaſperate the houſe ſtill farther, and to ſhow ſome degree of precipitancy and indiſcretion.

MOVED by this example, the houſe of peers were rouſed from their inactivity; and claimed liberty for the Earl of Arundel, who had been lately confined in the Tower. After many fruitleſs evaſions, the King, tho' ſomewhat ungracefully, was at laſt obliged to comply §. And in this incident, it ſufficiently appeared, that the lords, however little inclined to popular courſes, were not wanting in a juſt ſenſe of their own dignity.

* Ruſhw. vol. i. p. 359. Whitlocke, p. 6.

† Ruſhw. vol. i. p. 356.

‡ Ruſhw. vol. i. p. 358, 361. Franklyn, p. 180.

§ Ruſhw. vol. i. p. 363, 364, &c. Franklyn, p. 181.

THE ill humour of the commons, thus wantonly irritated by the court, and finding no gratification in the legal impeachment of Buckingham, ſought other materials, on which it might exert itſelf. The never failing cry of popery here ſerved them in ſtead. They again claimed the execution of the penal laws againſt catholics; and they preſented to the King a liſt of perſons, entruſted with offices, moſt of them inſignificant, who were either convicted or ſuſpected recuſants *. In this particular, they had, perhaps, ſome reaſon to blame the King's conduct. He had promiſed to the laſt houſe of commons a redreſs of this religious grievance: But he was apt, in imitation of his father, to imagine, that the parliament, when they failed of ſupplying his neceſſities, had, on their part, freed him from the obligation of a ſtrict performance. A new odium, likewiſe, by theſe repreſentations, was attempted to be thrown upon Buckingham. His mother, who had great influence over him, was a profeſſed catholic; his wife was not free from ſuſpicion: And the indulgence given to catholics, was of courſe ſuppoſed to proceed intirely from his credit and authority. So violent was the bigotry of the times, that it was thought a ſufficient reaſon for diſqualifying any one from holding an office, that his wife or relations, or companions were papiſts, tho' he himſelf were a conformiſt †.

'TIS remarkable, that perſecution was here chiefly puſhed on by laymen; and that the church was willing to have granted more liberty than would be allowed by the commons. The reconciling doctrines likewiſe of Montague failed not anew to meet with ſevere cenſures from that zealous aſſembly ‡.

THE next attack, made by the commons, had it prevailed, would have proved deciſive. They were preparing a remonſtrance againſt the levying of tonnage and poundage without conſent of parliament. This article, together with the new impoſitions laid on merchandize by James, conſtituted near a half of the crown-revenues; and by depriving the King of theſe reſources, they would have reduced him to total ſubjection and dependance. While they retained ſuch a pledge, beſides the ſupply already promiſed, they were ſure that nothing could be refuſed them. Tho' after canvaſſing the matter near three months, they found themſelves utterly incapable of fixing any legal crime upon the Duke, they juſtly regarded him as a very unable and even dangerous miniſter; and they intended to preſent a petition, which would then have been equivalent to a command, for removing him from his majeſty's perſon and councils §.

THE King was alarmed at the yoke, which he ſaw prepared for him. Buckingham's great guilt, he thought, was the being his friend and favourite ‖. All the

* Franklyn, p. 195. Ruſhworth. † See the liſt in Franklyn and Ruſhworth.
‡ Ruſhw. vol. i. p. 209. § Ruſhw. vol. i. p. 400. Franklyn, p. 199.
‖ Franklyn, p. 178.

other

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other complaints againſt him were mere pretences. A little before, he was the idol of the people. No new crime had ſince been diſcovered. After the moſt diligent enquiry, prompted by the greateſt malice, the ſmalleſt appearance of guilt could not be fixed upon him. What idea, he aſked, muſt all mankind entertain of his honour, ſhould he ſacrifice his innocent friend to pecuniary conſiderations? What farther authority would he retain in the nation, were he capable, in the beginning of his reign, to give, in ſo ſignal an inſtance, ſuch matter of triumph to his enemies, and diſcouragement to his adherents? To day, the commons pretended to wreſt his miniſter from him. To-morrow, they would attack ſome branch of his prerogative. By their remonſtrances and promiſes and proteſtations, they had engaged the crown in a war. So ſoon as they ſaw a retreat impoſſible, without waiting for new incidents, without covering themſelves with new pretences, they immediately deſerted him, and refuſed him all reaſonable ſupply. It was evident, that they deſired nothing ſo much as to ſee him plunged in inextricable difficulties, of which they intended to take advantage. To ſuch deep perfidy, to ſuch unbounded uſurpations, it was neceſſary to oppoſe a proper firmneſs and reſolution. And any extremity was preferable to the contempt of ſubjects, to the inſults of mean adverſaries.

PROMPTED by theſe motives, Charles was determined immediately to diſſolve the parliament. When this reſolution was known, the houſe of peers, whoſe compliant behaviour intitled them to ſome authority with him, endeavoured to interpoſe *; and they petitioned him, that he would allow the parliament to ſit ſome time longer. *Not a moment longer*, cried the King haſtily †; and he ſoon after ended this ſeſſion by a diſſolution.

As this meaſure was foreſeen, the commons took care to finiſh and diſperſe their remonſtrance, which they intended as a juſtification of their conduct to the peo-
15th of June. ple. The King likewiſe, on his part, publiſhed a declaration, where he gave the reaſons of his diſagreement with the parliament, and of their ſudden diſſolution, before they had time to conclude any one act ‡. Theſe papers furniſhed the partizans on both ſides with ample matter of apology or of recrimination. But all impartial men judged, "*That* the commons, tho' they had not violated any "law, yet, by their unpliableneſs and independance, were inſenſibly changing, "perhaps improving, the ſpirit and genius, while they preſerved the forms, of "the conſtitution: And *that* the King was acting altogether without any plan; "running on in a road, ſurrounded, on all ſides, with the moſt dangerous preci-"pices, and concerting no proper meaſures, either for ſubmitting to the obſtinacy "of the commons, or for ſubduing it."

* Ruſhw. vol. i. p. 398. † Sanderſon's life of Ch. I. p. 58.
‡ Franklyn, p. 203, &c. Parl. Hiſt. vol. vii. p. 300.

AFTER

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AFTER a breach with the parliament, which ſeemed ſo difficult to repair, the only rational council which Charles could purſue, was immediately to conclude a peace with Spain, and to render himſelf, as far as poſſible, independent of his people, who diſcovered ſo little inclination to ſupport him, or rather who ſeem to have formed a determined reſolution to abridge his authority. Nothing could be more eaſy in the execution than this meaſure, nor more agreeable to his own and to national intereſt: But beſides the treaties and engagements, which he had entered into with Holland and with Denmark, the King's thoughts were, at this time, intirely averſe to pacific councils. There are two circumſtances in Charles's character, ſeemingly incompatible, which attended him during the whole courſe of his reign, and were in part the cauſe of all his misfortunes: He was very ſteddy and even obſtinate in his purpoſe; and he was eaſily governed, by reaſon of his facility, and of his deference to men, much inferior to himſelf both in morals and underſtanding. His great ends he inflexibly maintained: But, the means of attaining them, he readily received from his miniſters and favourites; tho' not always fortunate in his choice. The violent, impetuous Buckingham, inflamed with a deſire of revenge for injuries, which he himſelf had committed, and animated with a love for glory, which he had not talents to merit, had, at this time, notwithſtanding his profuſe, licentious life, acquired an invincible aſcendant over the virtuous and gentle temper of the King.

Violent meaſures of the court.

THE *new councils*, which Charles had mentioned to the parliament, were now to be tried, in order to ſupply his neceſſities. Had he poſſeſſed any military force, on which he could depend, 'tis not improbable, that he had, at once, taken off the maſk, and governed without any regard to parliamentary privileges: So high an idea had he received of kingly prerogative, and ſo contemptible a notion of the rights of thoſe popular aſſemblies, from which, he very naturally thought, he had met with ſuch ill uſage. But his army was new levied, ill paid, and worſe diſciplined; no wiſe ſuperior to the militia, who were much more numerous, and who were, in a great meaſure, under the influence of the country gentlemen. It behoved him, therefore, to proceed cautiouſly, and to cover his enterprizes under the pretence of antient precedents, which, conſidering the great authority commonly enjoyed by his predeceſſors, could not be wanting to him.

A COMMISSION was openly granted to compound with the catholics, and agree for a diſpenſation with the penal laws, enacted againſt them *. By this expedient, the King both filled his coffers, and gratified his inclination of giving indulgence to theſe religioniſts: But he could not readily have employed any branch of prerogative, which would have been more diſagreeable, or would have appeared more exceptionable to his proteſtant ſubjects.

* Ruſhw. vol. i. p 413. Whitlocke, p. 7.

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FROM the nobility, he desired assistance: From the city, he required a loan of 100,000 pounds. The former contributed slowly: But the latter, covering themselves under many pretences and excuses, gave him at last a flat denial *.

IN order to equip a fleet, a distribution, by order of the council, was made to all the maritime towns; and each of them was required, with the assistance of the adjacent counties, to arm so many vessels, as were appointed them †. The city of London was rated at twenty ships. This is the first appearance, in Charles's reign, of ship-money; a taxation, which had once been imposed by Elizabeth, but which afterwards, when carried some steps farther, by Charles, created such violent discontents.

OF some, loans were required ‡: To others, the way of benevolence was proposed: Methods, supported by precedents, but always invidious even in times more submissive and compliant. In the most absolute governments, such expedients would be regarded as irregular and disorderly.

25th of August.

THESE councils for supply were conducted with some moderation; till news arrived, that a great battle was fought, between the King of Denmark and Count Tilly, the imperial general; where the former was totally defeated. Money now, more than ever, became necessary in order to repair so great a breach in the alliance, and to support a prince who was so nearly related to Charles, and who had been engaged in the war, chiefly by the intrigues, sollicitations, and promises of the English monarch. After some deliberation, an act of council was passed, importing, that, as the urgency of affairs admitted not the way of parliament, the most speedy, equal, and convenient method of supply was by a GENERAL LOAN from the subject, according as every man was assessed in the rolls of the last subsidy. That precise sum was required, which each would have paid had the vote of four subsidies been passed into a law: But care was taken to inform the people, that the sums exacted were not to be called subsidies but loans §. Had any doubt remained, that forced loans were a violation of liberty, and must, by necessary consequence, render all parliaments superfluous; this was the proper expedient for opening the eyes of the whole nation.

THE commissioners, appointed to levy these loans, among other articles of secret instruction, were enjoined, "If any shall refuse to lend, and shall make "delays or excuses, and persist in his obstinacy, that they examine him upon "oath, whether he has been dealt with to deny or refuse to lend, or make an "excuse for not lending? Who has dealt with him, and what speeches or per-"suasions were used to that purpose? And that they shall also charge every such "person in his Majesty's name, upon his allegiance, not to disclose to any one,

* Rushw. vol. i. p. 415. Franklyn, p. 206. † Rushw. vol. i. p 415.
‡ Rushw. vol. i p. 416. § Rushw. vol. i. p. 418. Whitlocke, p. 8.

"what

"what his anſwer was *." So violent an inquiſitorial power, ſo impracticable an attempt at ſecrecy, were the objects of indignation, and even in ſome degree of ridicule. Chap. I. 1626.

THAT religious prejudices might ſupport civil authority, ſermons were preached by Sibthorpe and Manwaring, in favour of the general loan; and the court very induſtriouſly ſpread them over the kingdom. Paſſive obedience was there recommended in its full extent, the whole authority of the ſtate was repreſented as belonging to the King alone, and all limitations of laws and conſtitutions were rejected as ſeditious and impious †. So openly was this doctrine eſpouſed by the King, that Archbiſhop Abbot, a popular and virtuous prelate, becauſe he would not licence Sibthorpe's ſermon, was ſuſpended from the exerciſe of his office, baniſhed from London, and confined to one of his country-ſeats ‡. Abbot's principles of liberty, and his oppoſition to Buckingham, had always rendered him very ungracious at court, and had acquired him the character of a puritan. For it is remarkable, that that party made the privileges of the nation as much a part of their religion, as the church-party did the prerogatives of the crown; and nothing tended farther to recommend among the people, who always take opinions in the lump, the whole ſyſtem and principles of the former ſect. The King ſoon found, by fatal experience, that this engine of religion, which, with ſo little neceſſity, was introduced into politics, falling under more fortunate management, was played with the moſt terrible ſucceſs againſt him.

WHILE the King, inſtigated by anger and neceſſity, thus employed the whole extent of his prerogative, the ſpirit of the people was far from being ſubdued. Throughout all England, many refuſed theſe loans, and ſome were even active in encouraging their neighbours to inſiſt upon their common rights and privileges. By warrant of the council, *theſe* were thrown into priſon ‖. Moſt of them with patience ſubmitted to confinement, or applied by petition to the King, who commonly releaſed them. Five gentlemen alone, Sir Thomas Darnel, Sir John Corbet, Sir Walter Earl, Sir John Heveningham, and Sir Edmond Hambden, had ſpirit enough, at their own hazard and expence, to defend the public liberties, and to demand releaſement, not as a favour from the court, but as their due, by the laws of their country §. No particular cauſe was aſſigned of their confinement. The ſpecial command alone of the King and council was pleaded. And it was aſſerted, that, by law, this was not ſufficient reaſon for refuſing bail or releaſement to the priſoners.

* Ruſhw. vol. i. p. 419. Franklyn, p. 207. † Ruſhw. vol. i. p. 422. Franklyn, p. 208.
‡ Ruſhw. vol. i. p. 431. ‖ Ruſhw. vol. i. p. 429. Franklyn, p. 210.
§ Ruſhw. vol. i. p. 458. Franklyn, p. 224. Whitlocke, p. 8.

Chap. I. 1627. November.

THIS queſtion was brought to a ſolemn trial, before the King's Bench; and the whole kingdom was attentive to the iſſue of a cauſe, which was of much greater conſequence than the event of many battles.

BY the debates on this ſubject, it appeared, beyond controverſy, to the nation, that their anceſtors had been ſo jealous of perſonal liberty, as to ſecure it againſt arbitrary power in the crown, by ſix * ſeveral ſtatutes, and by an article † of the GREAT CHARTER itſelf, the moſt ſacred foundation of the laws and conſtitution. But the Kings of England, who had not been able to prevent the enacting theſe laws, had ſufficient authority, when the tide of liberty was ſpent, to hinder their regular execution; and they deemed it ſuperfluous to attempt the formal repeal of ſtatutes, which they found ſo many expedients and pretences to elude. Turbulent and ſeditious times frequently occurred, when the ſafety of the people abſolutely required the confinement of factious leaders; and by the genius of the old conſtitution, the prince, of himſelf, was accuſtomed to aſſume every branch of prerogative, which was found neceſſary for the preſervation of public peace and of his own authority. Expediency at other times, would cover itſelf under the appearance of neceſſity; and, in proportion as precedents multiplied, the will alone of the ſovereign was ſufficient to ſupply the place of expediency, of which he conſtituted himſelf the ſole judge. Tho' rebellious ſubjects had frequently, in the open field, reſiſted the King's authority; no perſon had been found ſo bold, while confined and at mercy, as to ſet himſelf in oppoſition to regal power, and to claim the protection of the laws and conſtitution, againſt the will of the ſovereign. It was not till this age, when the ſpirit of liberty was univerſally diffuſed, when the principles of government were nearly reduced by a ſyſtem, that theſe five gentlemen above-mentioned, by a noble effort, ventured, in this national cauſe, to bring the queſtion to a final determination. And the King was aſtoniſhed to obſerve, that a power, exerciſed by his predeceſſors almoſt without interruption, was found, upon trial, to be directly oppoſite to the cleareſt laws, and ſupported by few undoubted precedents in courts of judicature. Theſe had ſcarcely, in any inſtance, refuſed bail upon the commitments by ſpecial command of the King; becauſe the perſons committed had ſeldom or never dared to demand it, at leaſt inſiſt on their demand.

SIR Randolf Crew, Lord chief juſtice, had been diſplaced, as unfit for the purpoſes of the court: Sir Nicholas Hyde, eſteemed more obſequious, had obtained that high office: Yet the judges, by his direction, went no farther than to remand the gentlemen to their priſons, and refuſe the bail, which was offered ‡. Heathe, the attorney-general, inſiſted, that the court, in imitation of the judges in the thirty-fourth of

* 25 Edw. III. cap. 4. 28 Edw. III. cap. 3. 37 Edw. III. cap. 18. 38 Edw. III. cap. 9. 42. Edw. III. cap. 3. 1 Rich. II. cap. 12. † Chap. 29. ‡ Ruſhw. vol. i. p. 462.

Elizabeth

Elizabeth *, ſhould enter a general judgment, that no bail could be granted upon a commitment by the King or council †. But the judges wiſely declined complying. The nation, they ſaw, were already, to the laſt degree, exaſperated. In the preſent diſpoſition of mens minds, univerſal complaints prevailed, as if the kingdom were reduced to ſlavery. And the moſt invidious prerogative of the crown, it was ſaid, that of impriſoning the ſubject, is here, openly and ſolemnly, and in numerous inſtances, exerciſed for the moſt invidious purpoſe; in order to extort loans, or rather ſubſidies, without conſent of parliament. Chap. I. 1627.

But this was not the only hardſhip, of which the nation then thought, that they had reaſon to complain. The army, which had made the fruitleſs expedition to Cadiz, were diſperſed throughout the kingdom; and money was levied upon the counties, for the payment of their quarters ‡.

The ſoldiers were billetted upon private houſes, contrary to cuſtom, which required, that, in all ordinary caſes, they ſhould be quartered in inns and public houſes ‖.

Thoſe, who had refuſed or delayed the loan, were ſure to be loaded with a greater number of theſe dangerous and diſorderly gueſts.

Many too, of low condition, who had ſhown a refractory diſpoſition, were preſſed into the ſervice, and inliſted in the fleet or army §. Sir Peter Hayman, for the ſame reaſon, was diſpatched on an errand into the Palatinate ¶: Glanville, an eminent lawyer, had been obliged, during the former interval of parliament, to accept of an office in the navy **.

The ſoldiers, ill-paid and undiſciplined, committed many crimes and outrages; and increaſed extremely the public diſcontents. To prevent theſe diſorders, martial law, ſo neceſſary to the ſupport of diſcipline, was exerciſed upon the ſoldiers. By a contradiction, which is very natural, when the people are exaſperated, the outrages of the army were complained of; the remedy was thought ſtill more intolerable ††. Tho' the expediency, if we are not rather to ſay, the neceſſity, of martial law, had formerly been deemed, of itſelf, a ſufficient ground for eſtabliſhing it; men, now become more jealous of liberty, and more refined reaſoners in queſtions of government, regarded, as illegal and arbitrary, every exerciſe of authority, which was not ſupported by expreſs ſtatute, or uninterrupted precedent.

It may ſafely be affirmed, that, except a few courtiers or eccleſiaſtics, all men were diſpleaſed with this high exertion of prerogative, and this new ſpirit of adminiſtration. Tho' antient precedents were pleaded, in favour of the King's

* State Trials, vol. vii. p. 147. † Id. p. 161. ‡ Ruſhw. vol. i. p. 419.
‖ Ruſhw. vol. i. p. 419. § Id. p. 422. ¶ Id. p. 431.
** Parl. Hiſt. vol. vii. p. 310. †† Ruſhw. vol. i. p. 419. Whitlocke, p. 7.

 meaſures;

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measures; a great difference, upon comparison, was observed between the cases. Acts of power, however irregular, might casually and at intervals, be exercised by a prince, for the sake of dispatch or expediency; and yet liberty still subsist, in some tolerable degree, under his administration. But where all these were reduced into a system, were exerted without interruption, were studiously sought for, in order to supply the place of laws, and subdue the refractory spirit of the nation; it was necessary to find some speedy remedy, or finally to abandon all hopes of preserving the freedom of the constitution. Nor could moderate men esteem the provocation, which the King had received, tho' great, sufficient to warrant all these violent measures. The commons, as yet, had nowise invaded his authority: They had only exercised, as best pleased them, their own privileges. Was he excusable, because, from one house of parliament, he had met with harsh and unkind treatment, to make, in revenge, an invasion on the rights and liberties of the whole nation?

War with France.

But great was at this time the surprize of all men, when Charles, baffled in every attempt against the Austrian dominions, embroiled with his own subjects, unsupplied with any treasure but what he extorted by the most invidious and most dangerous measures; as if the half of Europe, now his enemy, was not sufficient for the exercise of military prowess; wantonly attacked France, the other great kingdom in his neighbourhood, and engaged at once in war against those two powers, whose interests were hitherto esteemed so incompatible, that they could never, it was thought, agree either in the same friendships or enmities. All authentic memoirs, both foreign and domestic, ascribe to Buckingham's councils this war with France, and represent him, as actuated by motives, which would appear incredible, were we not sufficiently acquainted with the extreme violence and temerity of his character.

The three great monarchies of Europe were at this time ruled by young princes, Philip, Louis, and Charles, who were nearly of the same age, and who had resigned the government of themselves and of their kingdoms to their creatures and ministers, Olivarez, Richelieu, and Buckingham. The people, whom the moderate temper or narrow genius of their princes, would have allowed to remain for ever in tranquillity, were strongly agitated by the emulation and jealousy of the ministers. Above all, the towering spirit of Richelieu, incapable of rest, promised an active age, and gave indications of great revolutions throughout all Europe.

This man had no sooner, by suppleness and intrigue, got possession of the reins of government, than he formed, at once, three mighty projects; to subdue the turbulent spirits of the great, to reduce the rebellious hugonots, and to curb the encroaching power of the house of Austria. Undaunted and implacable, prudent and active, he braved all the opposition of the French princes and nobles

bles in the profecution of his vengeance; he diſcovered and diſſipated all their moſt ſecret cabals and conſpiracies. His ſovereign himſelf, he held in ſubjection, while he exalted the throne. The people, while they loſt their liberties, acquired, by means of his adminiſtration, learning, order, diſcipline, and renown. That confuſed and inaccurate genius of government, which France partook in common with other European kingdoms, he changed into a ſimple monarchy; at the very time, when the incapacity of Buckingham encouraged the free ſpirit of the commons to eſtabliſh in England a regular ſyſtem of liberty. Chap. I. 1627.

However unequal the compariſon between theſe miniſters, Buckingham had entertained a mighty jealouſy againſt Richelieu; a jealouſy not founded on rivalſhip of power and politics, but of love and gallantry; where the Duke was as much ſuperior to the Cardinal, as he was inferior in every other particular.

At the time, when Charles married by proxy the Princeſs Henrietta, the Duke of Buckingham had been diſpatched into France, in order to grace the nuptials, and conduct the new Queen into England. The eyes of the whole French court were directed by curioſity towards that man, who had enjoyed the unlimited favour of two ſucceſſive monarchs, and who, from a private ſtation, had mounted, in the earlieſt youth, to the abſolute government of three kingdoms. The extreme beauty of his perſon, the gracefulneſs of his air, the ſplendor of his equipage, his fine taſte in dreſs, feſtivals, and carrouſels, correſponded to the prepoſſeſſions entertained in his favour: The affability of his behaviour, the gaiety of his manners, the magnificence of his expence, increaſed ſtill farther the general admiration, which was paid him. All buſineſs being already concerted, the time was intirely ſpent in mirth and entertainments; and, during thoſe ſplendid ſcenes, among that gay people, the Duke found himſelf in a ſituation, where he was perfectly qualified to excel *. But his great ſucceſs at Paris proved as fatal as his former failure at Madrid. Encouraged by the ſmiles of the court, he dared to carry his ambitious addreſſes to the Queen herſelf; and he failed not to make impreſſion on a heart not undiſpoſed to the tender paſſions. That attachment, at leaſt, of the mind, which appears ſo delicious, and is ſo dangerous, ſeems to have been encouraged by the Princeſs; and the Duke preſumed ſo far on her good graces, that, after his departure, he ſecretly returned upon ſome pretence, and, paying a viſit to the Queen, was diſmiſſed with a reproof, which favoured more of kindneſs than of anger †.

Information of this correſpondence was ſoon carried to Richelieu. The vigilance of that miniſter was here farther rouzed by jealouſy. He too, either from vanity or politics, had ventured to pay his addreſſes to the Queen. But a prieſt, paſt middle age, of a ſevere character, and occupied in the moſt extenſive

* Clarendon, vol. i. p. 38. † Memoires de Mad. de Motteville.

plans

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plans of ambition or vengeance, was but an unequal match in that conteſt, for a young courtier, intirely diſpoſed to gaiety and gallantry. The Cardinal's diſappointment ſtrongly inclined him to counter-work the amorous projects of his rival. When the Duke was making preparations for a new embaſſy to Paris, a meſſage was ſent him from Louis, that he muſt not think of ſuch a journey. In a romantic paſſion, he ſwore, *That he would ſee the Queen, in ſpite of all the power of France*; and from that moment, he was determined to engage England in a war with that kingdom †.

He firſt took advantage of ſome quarrels, excited by the Queen of England's attendants; and he perſuaded Charles to diſmiſs, at once, all her French ſervants, contrary to the articles of the marriage-treaty ‡. He encouraged the Engliſh ſhips of war and privateers to ſeize veſſels, belonging to French merchants; and *theſe* he forthwith condemned as prizes by ſentence of the court of admiralty. But finding, that all theſe injuries produced only remonſtrances and embaſſies, or at moſt reprizals, on the part of France; he reſolved to ſecond the intrigues of the Duke of Soubize, and to undertake at once a military expedition againſt that nation.

Soubize, who, with his brother, the Duke of Rohan, was the leader of the hugonot faction, was at that time in London, and ſtrongly ſolicited Charles to embrace the protection of theſe diſtreſſed religioniſts. He repreſented, That, after the inhabitants of Rochelle had been repreſſed by the combined ſquadrons of England and Holland, after peace was concluded with the French King under Charles's mediation, the ambitious Cardinal was ſtill meditating the deſtruction of the hugonots; that preparations were ſilently making in every province of France for the ſuppreſſion of their religion; that forts were erected in order to bridle Rochelle, the moſt conſiderable bulwark of the proteſtants; that the reformed in France caſt their eyes on Charles as the head of their faith, and conſidered him as a prince engaged by intereſt, as well as inclination, to ſupport them; that, ſo long as their party ſubſiſted, Charles might rely on their obedience, as much as on that of his own ſubjects; but, if their liberties were once raviſhed from them, the power of France, freed from this impediment, would ſoon become formidable to England, and to all the neighbouring nations.

Tho' Charles probably bore but ſmall favour to the hugonots, who ſo much reſembled the puritans, in diſcipline and worſhip, in religion and politics; he yet allowed himſelf to be gained by theſe arguments, inforced by the ſolicitations of Buckingham. A fleet of an hundred ſail, and an army of 7000 men, were fitted out for the invaſion of France, and both of them entruſted to the command of the Duke, who was altogether unacquainted both with land and ſea-ſervice. The

† Clarendon, vol. i. p. 38. ‡ Ruſhw. vol. i. p. 423, 424.

fleet

fleet appeared before Rochelle: But ſo ill-concerted were the Duke's meaſures, that the inhabitants of that city ſhut their gates, and refuſed to admit allies, of whoſe coming they were not previouſly informed *. All his military operations ſhowed equal incapacity and inexperience. Inſtead of attacking Oleron, a fertile iſland and defenceleſs, he bent his courſe to the iſle of Rhé, which was well garriſoned and fortified: Having landed his men, tho' with ſome loſs, he followed not the blow, but allowed Toiras, the French governor, five days reſpite; during which St. Martin was victualled and provided for a ſiege †. He left behind him the ſmall fort of Prie, which could at firſt have made no manner of reſiſtance: Tho' reſolved to ſtarve St. Martin, he guarded the ſea negligently, and allowed proviſions and ammunition to be thrown into it: Deſpairing to reduce it by famine, he attacked it without having made any breach, and raſhly threw away the lives of the ſoldiers: Having found, that a French army had ſtolen over in ſmall diviſions, and had landed at Prie, the fort which he had at firſt overlooked, he began to think of a retreat; but made it ſo unſkilfully, that it was equivalent to a total rout: He was the laſt, of the whole army, that embarked; and he returned to England, having loſt two thirds of his land-forces; totally diſcredited both as an admiral and a general; and bringing no praiſe with him, but that vulgar one of courage and perſonal bravery.

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9th of July. Expedition to the iſle of Rhé.

28th of October.

The Duke of Rohan, who had taken arms as ſoon as Buckingham appeared upon the coaſt, diſcovered the dangerous ſpirit of the ſect, without being able to do any miſchief: The inhabitants of Rochelle, who had, at laſt, been induced to join themſelves to the Engliſh, haſtened the vengeance of their maſter, exhauſted their proviſions in ſupplying their allies, and were threatened with an immediate ſiege. Such were the fruits of Buckingham's expedition againſt France.

CHAP. II.

Third parliament.——Petition of right.——Prorogation.——Death of Buckingham.——New ſeſſion of parliament.——Tonnage and poundage.——Arminianiſm.——Diſſolution of the parliament.

THERE was reaſon to apprehend ſome diſorder or inſurrection from the diſcontents, which prevailed among the people. Their liberties, they believed, were raviſhed from them; illegal taxes extorted; their commerce,

1628.

* Ruſhw. vol. i. p. 426. † Whitlocke, p. 8. Sir Ph. Warwick, p. 25.

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which had met with a ſevere check from the Spaniſh, was totally annihilated by the French war; thoſe military honours, tranſmitted to them from their anceſtors, had received a grievous ſtain, by two unſucceſsful and ill-conducted expeditions; ſcarce an illuſtrious family but mourned, from the laſt of them, the loſs of a ſon or brother; greater calamities were dreaded from the war with theſe powerful monarchies, concurring with the internal diſorders, under which the nation laboured. And theſe ills were aſcribed, not to the refractory diſpoſition of the two former parliaments, to which they were partly owing; but ſolely to Charles's obſtinacy, in adhering to the councils of Buckingham; a man nowiſe intitled, by his birth, age, ſervices, or merit, to that unlimited confidence, repoſed in him. To be ſacrificed to the intereſt, policy, and ambition of the great, is ſo much the common lot of the people, that they may appear unreaſonable, who would pretend to complain of it: But to be the victim of the frivolous gallantry of a favourite, and of his boyiſh caprices, ſeemed the ſubject of peculiar indignation.

In this ſituation, it may be imagined, the King and the Duke dreaded, above all things, the aſſembling a parliament: But, ſo little foreſight had they poſſeſſed in their enterprizing ſchemes, that they found themſelves under an abſolute neceſſity of embracing that expedient. The money levied, or rather extorted, under colour of prerogative, had come in very ſlowly, and had left ſuch ill humour in the nation, that it appeared dangerous to renew the experiment. The abſolute neceſſity of ſupply, it was hoped, would engage the commons to forget all paſt injuries; and, having experienced the ill effects of former obſtinacy, they would probably aſſemble with a reſolution of making ſome reaſonable compliances. The more to ſoften them, it was concerted, by Sir Robert Cotton's advice *, that Buckingham ſhould be the firſt perſon, who propoſed in council the calling a new parliament. Having laid in this ſtock of merit, he expected, that all his former miſdemeanors would be overlooked and forgiven, and that, inſtead of a tyrant and oppreſſor, he ſhould be regarded as the firſt patriot in the nation.

Third Parliament.

March 17.

The views of the popular leaders were much more judicious and profound. When the commons aſſembled, they appeared to be men of the ſame independent ſpirit with their predeceſſors, and poſſeſſed of ſuch riches, that their property was computed to ſurpaſs three times that of the houſe of peers †; they were deputed by burroughs and counties, inflamed, all of them, by the late violations of liberty; many of the members themſelves had been caſt into priſon, and had ſuffered by the meaſures of the court; yet, notwithſtanding all theſe circumſtances, which might prompt them to embrace violent reſolutions, they entered

* Franklyn, p. 230.

† Sanderſon, p. 106. Walker, p. 339.

upon

upon buſineſs with perfect temper and decorum. They conſidered, that the King, diſguſted at theſe popular aſſemblies, and little prepoſſeſſed in favour of their privileges, wanted but a fair pretence of breaking with them, and would ſeize the firſt opportunity offered by any incident or undutiful behaviour of the members. He fairly told them, in his firſt ſpeech, that, "If they ſhould not "do their duties, in contributing to the neceſſities of the ſtate, he muſt, in diſ- "charge of his conſcience, uſe thoſe other means, which God had put into his "hands, in order to ſave that which the follies of ſome particular men may "otherwiſe put in danger. Take not this for a threatening," added the King, "for I ſcorn to threaten any but my equals; but as an admonition from him, "who, by nature and duty, has moſt care of your preſervation and proſperity *." The Lord keeper, by the King's direction, ſubjoined, "This way of parlia- "mentary ſupplies, as his Majeſty told you, he hath choſen, not as the only "way, but as the fitteſt; not becauſe he is deſtitute of others, but becauſe it "is moſt agreeable to the goodneſs of his own moſt gracious diſpoſition, and to "the deſire and weal of his people. If this be deferred, neceſſity and the ſword "of the enemy make way to the others. Remember his Majeſty's admonition; "I ſay, remember it †." From theſe avowed maxims, the commons foreſaw, that, if the leaſt handle was afforded, the King would immediately diſſolve them, and would thence forward deem himſelf juſtified for violating, in a manner ſtill more open, all the antient forms of the conſtitution. No remedy could then be looked for, but from inſurrections and civil war, of which the iſſue would be extremely uncertain, and which muſt, in all events, prove infinitely calamitous to the whole nation. To correct the late diſorders in the adminiſtration required ſome new laws, which would, no doubt, appear harſh to a prince, ſo enamoured of his prerogative; and it was requiſite to temper, by the decency and moderation of their debates, the rigour, which muſt neceſſarily attend their determinations. Nothing can give us a higher idea of the capacity of thoſe men, who now guided the commons, and of the great authority, which they had acquired, than the forming and executing ſo judicious and ſo difficult a plan of operations.

Chap. II. 1628.

THE decency, however, which the popular leaders had preſcribed to themſelves, and recommended to others, hindered them not from making the loudeſt and moſt vigorous complaints againſt the grievances, under which the nation had lately laboured. Sir Francis Seymour ſaid, "This is the great council of the "kingdom, and here with certainty, if not here only, his Majeſty may ſee, as "in a true glaſs, the ſtate of the kingdom. We are all called hither by his "writs, in order to give him faithful counſel; ſuch as may ſtand with his ho- "nour: And this we muſt do without flattery. We are all ſent hither by the

* Ruſhw. vol. i. p. 477. Franklyn, p. 233. † Ruſhw. vol. i. p. 479. Franklyn, p. 234.

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" people, in order to deliver their juſt grievances: And this we muſt do without " fear. Let us not act like Cambyſes's judges, who, when their approbation was " demanded by the prince to ſome illegal meaſure, ſaid, that, *Tho' there was a " written law, the Perſian Kings might follow their own will and pleaſure.* This " was baſe flattery, fitter for our reproof than our imitation; and as fear, ſo " flattery, taketh away the judgment. For my part, I ſhall ſhun both; and " ſpeak my mind with as much duty, as any man, to his Majeſty, without ne- " gleƈting the public.

" But how can we expreſs our affections, while we retain our fears; or ſpeak " of giving till we know whether we have any thing to give. For, if his Ma- " jeſty may be perſuaded to take what he will, what need we give?

" That this hath been done, appeareth by the billetting of ſoldiers, a thing " nowiſe advantageous to the King's ſervice, and a burthen to the commonwealth: " By the impriſonment of gentlemen for refuſing the loan, who, if they had done " the contrary for fear, had been as blameable as the projectors of that oppreſſive " meaſure. To countenance theſe proceedings, hath it not been preached in the " pulpit, or rather prated, that *All we have is the King's by divine right.* But " when preachers forſake their own calling, and turn ignorant ſtateſmen; we ſee " how willing they are to exchange a good conſcience for a biſhopric.

" He, I muſt confeſs, is no good ſubjeƈt, who would not, willingly and cheer- " fully, lay down his life, when that ſacrifice may promote the intereſts of his " ſovereign and the good of the commonwealth. But he is not a good ſubjeƈt, " he is a ſlave, who will allow his goods to be taken from him againſt his will, " and his liberty againſt the laws of the kingdom. By oppoſing theſe praƈtices, " we ſhall but tread in the ſteps of our forefathers, who ſtill preferred the public " before their private intereſt, nay, before their very lives. It will in us be a wrong " done to ourſelves, to our poſterities, to our conſciences, if we forego this claim " and pretenſion *."

" I read of a cuſtom," ſaid Sir Robert Philips, " among the old Romans, that " once every year, they held a ſolemn feſtival, in which their ſlaves had liberty, " without exception, to ſpeak what they pleaſed, in order to eaſe their afflicted " minds; and, on the concluſion of the feſtival, the ſlaves ſeverally returned to " their former ſervitudes.

" This inſtitution may, with ſome diſtinƈtion, well ſet forth our preſent ſtate " and condition. After the revolution of ſome time, and the grievous ſufferance " of many violent oppreſſions, we have now, at laſt, as thoſe ſlaves, obtained, " for a day, ſome liberty of ſpeech: But ſhall not, I truſt, be hereafter ſlaves: " For we are born free. Yet, what new illegal burthens our eſtates and per-

* Franklyn, p. 243. Ruſhw. vol. i. p. 499.

" ſons

" ſons have groaned under, my heart yearns to think of, my tongue falters to " utter.———— Chap. II. 1628.

" The grievances, by which we are oppreſſed, I draw under two heads; acts " of power againſt law, and the judgments of lawyers againſt our liberty."

Having mentioned three illegal judgments, paſſed within his memory; that by which the Scots, born after James's acceſſion, were admitted to all the privileges of Engliſh ſubjects; that by which the new impoſitions had been warranted; and the laſt, by which arbitrary impriſonments were authorized; he thus proceeded.

" I can live, tho' another, who has no right, be put to live along with me; " nay, I can live, tho' burthened with impoſitions, beyond what at preſent I la- " bour under: But to have my liberty, which is the ſoul of my life, raviſhed " from me; to have my perſon pent up in a jail, without relief by law, and to " be ſo adjudged,———O! improvident anceſtors! O! unwiſe forefathers! to " be ſo curious in providing for the quiet poſſeſſion of our lands and the liberties " of parliament; and, at the ſame time, to neglect our perſonal liberty, and let " us lie in priſon, and that during pleaſure, without redreſs or remedy! If this " be law, why do we talk of liberties? Why trouble ourſelves with diſputes " about a conſtitution, franchiſes, property of goods, and the like? What may " any man call his own, if not the liberty of his perſon?

" I am weary of treading theſe ways; and therefore conclude to have a ſelect " committee, in order to frame a petition to his Majeſty for redreſs of theſe op- " preſſions. And this petition being read, examined, and approved, may be de- " livered to the King; of whoſe gracious anſwer we have no cauſe to doubt, our " deſires being ſo reaſonable, our intentions ſo loyal, and the manner ſo dutiful. " Neither need we fear, that this is the critical parliament, as has been inſinu- " ated; or that this is a way to diſtraction: But aſſure ourſelves of a happy iſſue. " Then ſhall the King, as he calls us his great council, find us his true council, " and own us his good council *."

The ſame topics were inforced by Sir Thomas Wentworth. After mentioning projectors and ill miniſters of ſtate. " Theſe," ſaid he, " have introduced " a privy council, raviſhing, at once, the ſpheres of all antient government; " deſtroying all liberty; impriſoning us without bail or bond. They have taken " from us——What ſhall I ſay? Indeed, what have they left us? By tearing up " the roots of all property, they have taken from us every means of ſupplying " the King, and of ingratiating ourſelves by voluntary proofs of our duty and " attachment towards him.

* Franklyn, p. 245. Parl. Hiſt. vol. vii. p. 363. Ruſhw. vol. i. p. 502.

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" To the making whole all theſe breaches, I ſhall apply myſelf; and to all " theſe diſeaſes, ſhall propound a remedy. By one and the ſame thing, have the " King and the people been hurt, and by the ſame muſt they be cured. We muſt " vindicate: What? New things? No: Our antient, legal, and vital liberties; " by reinforcing the laws, enacted by our anceſtors; by ſetting ſuch a ſtamp " upon them, that no licentious ſpirit ſhall dare henceforth to invade them. And " ſhall we think this a way to break a parliament? No: Our deſires are modeſt " and juſt. I ſpeak both for the intereſt of King and people. If we enjoy not " theſe rights, it will be impoſſible for us to relieve him. Let us never, there- " fore, doubt of a favourable reception from his goodneſs *."

THESE ſentiments were unanimouſly embraced by the whole houſe. Even the court-party pretended not to plead, in defence of the late meaſures, any thing but the neceſſity, to which the King had been reduced, by the obſtinacy of the two former parliaments. A vote, therefore, was paſſed without oppoſition, againſt arbitrary impriſonments and forced loans †. And the ſpirit of liberty having obtained ſome ſatisfaction by this exertion of itſelf, the King's reiterated meſſages, who preſſed for ſupply, were attended to with better temper. Five ſubſidies were voted him; with which, tho' much inferior to his wants, he declared himſelf well ſatisfied; and even tears of affection ſtarted in his eye, when he was informed of this conceſſion. The Duke's approbation too was mentioned by Secretary Coke; but the conjunction of a ſubject with the ſovereign was ill received by the houſe ‡. Tho' diſguſted with the King, the jealouſy, which they felt for his honour, was more ſenſible than that, which his unbounded confidence in the Duke would allow even himſelf to entertain.

THE ſupply, tho' voted, was not, as yet, paſſed into a law; and the commons reſolved to employ the interval, in providing ſome barriers to their rights and liberties, ſo lately violated. They knew, that their own vote, declaring the illegality of the former meaſures, had not, of itſelf, ſufficient authority to ſecure the conſtitution againſt all future invaſion. Some act to that purpoſe muſt receive the ſanction of the whole legiſlature; and they appointed a committee to prepare the model of ſo important a law. By collecting into one effort all the dangerous and oppreſſive claims of his prerogative, Charles had expoſed them to the hazard of one aſſault; and had farther, by preſenting a nearer view of the conſequences attending them, rouzed the independent genius of the commons. Forced loans, benevolences, taxes without conſent of parliament, arbitrary impriſonments, billetting ſoldiers, martial law; theſe were the grievances complained of, and againſt

* Franklyn, p. 243. Ruſhw. vol. i. p. 500.
† Franklyn, p. 251. Ruſhw. vol. i. p. 513. Whitlocke, p. 9.
‡ Ruſhw. vol. i. p. 526. Whitelocke, p. 9.

theſe

theſe an eternal remedy was to be provided. The commons pretended not, as they affirmed, to any unuſual powers or privileges: They aimed only at ſecuring thoſe tranſmitted them from their anceſtors: And their law they reſolved to call a PETITION OF RIGHT; as implying that it contained a corroboration or explanation of the antient conſtitution, not any infringement of royal prerogative, or acquiſition of new liberties. Chap. II. 1628. Petition of right.

WHILE the committee was employed in framing the petition of right, the favourers of each party, both in parliament and throughout the nation, were engaged in diſputes about this bill, which, in all likelihood, was to form a memorable aera in the Engliſh government.

THAT the ſtatutes, ſaid the partizans of the commons, which ſecure Engliſh liberty, are not become obſolete, appears hence, that the Engliſh have ever been free, and have ever been governed by law and a limited conſtitution. Privileges in particular, which are founded on the GREAT CHARTER, muſt always remain in force, becauſe derived from a ſource of never failing authority; regarded in all ages, as the moſt ſacred contract between King and people. Such attention was paid to this charter by our generous anceſtors, that they got the confirmation of it reiterated thirty ſeveral times; and even ſecured it by a law, which ſeems in the execution impracticable. They enacted, *That no ſtatute, which ſhould be afterwards enacted in contradiction to any article of that charter, ſhould ever have any force or validity.* But with regard to that important article, which ſecures perſonal liberty; ſo far from attempting, at any time, any legal infringement of it; they have corroborated it by ſix ſtatutes, and put it out of all doubt and controverſy. If in practice it has often been violated, abuſes can never come in place of rules; nor can any rights or legal powers be derived from injury and injuſtice. But the ſubjects title to perſonal liberty is not founded only on antient, and therefore, the more ſacred laws: It is confirmed by the whole ANALOGY of the government and conſtitution. A free monarchy, in which every individual is a ſlave, is a glaring contradiction; and it is requiſite, where the laws aſſign privileges to the different orders of the ſtate, that it likewiſe ſecure the independance of all the members. If any difference could be made in this particular, it were better to abandon even life or property to the arbitrary will of the prince; nor would ſuch immediate danger enſue, from that conceſſion, to the laws and to the privileges of the people. To bereave of his life a man not condemned on any legal trial, is ſo egregious an exerciſe of tyranny, as muſt at once ſhock the natural humanity of princes, and convey an alarm through the whole commonwealth. To confiſcate a man's fortune, beſides its being a moſt atrocious act of violence, expoſes the monarch ſo much to the imputation of avarice and rapacity, that it will ſeldom be attempted in any civilized government. But confinement, tho' a leſs ſtriking, is no leſs ſevere a puniſhment; nor is there any ſpirit, ſo erect and independent, as not to

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be broke by the long continuance of the ſilent and inglorious ſufferings of a jail. The power of impriſonment, therefore, being the moſt natural and potent engine of arbitrary government, it is abſolutely neceſſary to remove it from a government, which is free and legal.

THE partizans of the court reaſoned after a different manner. The true rule of government, ſaid they, during any period, is that to which the people, from time immemorial, have been accuſtomed, and to which they naturally pay a prompt obedience. A practice, which has ever ſtruck their ſenſes, and of which they have ſeen and heard innumerable precedents, has an authority with them much ſuperior to that which attends maxims derived from antiquated ſtatutes and mouldy records. In vain do the lawyers eſtabliſh it as a principle, that a ſtatute can never be abrogated by oppoſite cuſtom; but requires to be expreſly repealed by a contrary ſtatute: While they pretend to inculcate an axiom, peculiar to Engliſh juriſprudence, they violate the moſt eſtabliſhed principles of human nature; and even, by neceſſary conſequence, reaſon in contradiction to law itſelf, which they would repreſent as ſo ſacred and inviolable. A law, to have any authority, muſt be derived from a legiſlature, which has right. And whence do all legiſlatures derive their right but from long cuſtom and eſtabliſhed practice? If a ſtatute, contrary to public good, has, at any time, been raſhly voted and aſſented to, either from the violence of faction, or the inexperience of ſenates and princes; it cannot be more effectually abrogated, than by a train of contrary precedents, which prove, that, from common conſent, it has tacitly been ſet aſide, as inconvenient and impracticable. Such has been the caſe with all thoſe ſtatutes enacted during turbulent times, in order to limit royal prerogative, and cramp the ſovereign in his protection of the public, and his execution of the laws. But above all the branches of prerogative, that which is moſt neceſſary to be preſerved, is the power of impriſonment. Faction and diſcontent, like diſeaſes, frequently ariſe in every political body; and, during theſe diſorders, 'tis by the ſalutary exerciſe alone of this diſcretionary power, that rebellions and civil wars can be prevented. To circumſcribe this power, is to deſtroy its nature: Entirely to abrogate it, is impracticable; and the attempt itſelf muſt prove dangerous, if not pernicious to the public. The ſupreme magiſtrate, in critical and turbulent times, will never, agreeable either to prudence or duty, allow the ſtate to periſh, while there remains a remedy, which, however irregular, it is ſtill in his power to apply. And if, moved by a regard to public good, he employs any exerciſe of power, condemned by recent and expreſs ſtatute; how greedily, in ſuch dangerous times, will factious leaders ſeize this pretence of throwing on his government the imputation of tyranny and deſpotiſm? Were the alternative quite neceſſary, it were ſurely much better for human ſociety to be deprived of liberty than to be deſtitute of government.

IMPARTIAL

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IMPARTIAL reaſoners will confeſs, that this ſubject is not, on both ſides, without its difficulties. Where a general and rigid law is enacted againſt arbitrary impriſonments, it would appear, that government cannot, in times of ſedition and faction, be conducted but by temporary ſuſpenſions of the law; and ſuch an expedient, during the age of Charles, was never thought of. The meetings of parliament were too precarious, and their determinations might be too dilatory, to ſerve in caſes of urgent neceſſity. Nor was it then conceived, that a king did not poſſeſs of himſelf ſufficient power for the ſecurity and protection of his people, or that the authority of theſe popular aſſemblies was ever to become ſo abſolute, that the prince muſt always conform himſelf to it, and could never have any occaſion to guard againſt *their* practices, as well as againſt thoſe of his other ſubjects.

THO' the houſe of lords were not inſenſible to the reaſons urged in favour of the pretenſions of the commons, they deemed the arguments, pleaded in favour of the crown, ſtill more cogent and convincing. That aſſembly ſeems, during this whole period, to have acted, in the main, a reaſonable and a moderate part; and if their byaſs inclined a little too much, as is natural, to the ſide of monarchy, they were far from entertaining any deſign of ſacrificing to arbitrary will the liberties and privileges of the nation. Aſhley, the King's ſerjeant, having aſſerted, in a pleading before the peers, that the King muſt ſometimes govern by acts of ſtate as well as by law; this poſition gave ſuch offence, that he was immediately committed to priſon, and was not releaſed but upon his recantation and ſubmiſſion *. Being, however, afraid, that the commons would go too far in their projected petition, the peers propoſed a plan of one more moderate, which they recommended to the conſideration of the other houſe. It conſiſted merely in a general declaration, That the great charter, and the ſix ſtatutes, conceived to be explanations of it, ſtand ſtill in force, to all intents and purpoſes; that, in conſequence of the charter and the ſtatutes, and by the tenor of the antient cuſtoms and laws of the land, every ſubject has a fundamental property in his goods, and a fundamental liberty of his perſon; that his property and liberty are as entire at preſent as during any former period of the Engliſh government; that in all common caſes, the common law ought to be the ſtandard of proceedings: "And "in caſe, that, for the ſecurity of his Majeſty's perſon, the general ſafety of his "people, or the peaceable government of the kingdom, the King ſhall find juſt "cauſe for reaſons of ſtate, to impriſon or reſtrain any man's perſon; he was "petitioned graciouſly to declare, that within a *convenient* time, he ſhall and will "expreſs the cauſe of the commitment or reſtraint, either general or ſpecial, and "upon a cauſe ſo expreſſed, will leave the priſoner immediately to be tried ac-"cording to the common law of the land †."

* Whitlocke, p. 10. † State Trials, vol. vii. p. 187. Ruſhw. vol. i. p. 546.

ARCHBISHOP

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ARCHBISHOP Abbot was employed by the lords to recommend, in a conference, this plan of a petition to the houſe of commons. The prelate, as was, no doubt, foreſeen from his known principles, was not extremely urgent in his applications; and the lower houſe were fully convinced, that the general declarations ſignified nothing, and that the latter clauſe left their liberties rather in a worſe condition than before. They proceeded, therefore, with great zeal, in framing the model of a petition, which ſhould contain expreſſions, more preciſe, and more favourable to public freedom.

THE King could eaſily ſee the conſequences of theſe proceedings, Tho' he had offered, at the beginning of the ſeſſion, to give his conſent to any law for the ſecurity of the rights and liberties of the people; he had not expected, that ſuch inroads ſhould be made on his prerogative. In order, therefore, to divert the commons from their intention, he ſent a meſſage, where he deſired the houſes, "clearly to let him know, whether they will reſt upon his royal promiſe in fa-"vour of their liberties: Which promiſe he had given at ſeveral times, and "chiefly by the Lord keeper's ſpeech made in his own preſence. If they rely on "it, he aſſured them, it ſhould be really and royally performed *."

SECRETARY Coke, who delivered this meſſage, after ſome preamble, and ſome apology for paſt grievances, proceeded in this manner. "When means "were denied his Majeſty, being a young king and newly come to the crown, "which he found engaged in a war; what could we expect in ſuch neceſſities? "His Majeſty has called this parliament to make up the breach: His Majeſty "aſſures us, that we ſhall not have like cauſe to complain: He aſſures us, that "the laws ſhall be eſtabliſhed. What can we deſire more? The important "point is, that we provide for poſterity, and prevent the like practices for the "future. Were not the ſame means provided by them before us? Can we do "more? We ſtand at preſent on the confines between the liberty of the ſubject "and the prerogatives of the King. I hope, that we ſhall not pretend to add "any thing for ourſelves, in order to depreſs him. I will not divine; Yet I "think, that in ſuch pretenſions, we ſhall find difficulty with the king; nay, "perhaps, with the lords. For my part, I ſhall not, as councellor to his Ma-"jeſty, deliver any opinion, which I will not openly declare and juſtify, here, "or at the council board. Will we, in this neceſſity, ſtrive to bring ourſelves "into a better condition and greater liberty than our fathers enjoyed, and reduce "the crown to a worſe than ever? I dare not adviſe his Majeſty to give way to "ſuch meaſures. What we now deſire, if it be no innovation, is all contained in "thoſe acts and ſtatutes; and whatever more we ſhall add is a diminution to the "King's power, and an acceſſion to our own. We deal with a wiſe and valiant "prince, who hath a ſword in his hand for our good; and this good cannot be

* State Trials, vol. vii. p. 185. Ruſhw. vol. i. p. 552.

"attained

" attained without power. Do not think, that, by parliamentary debates, or " even by clauſes of ſtatutes, we can make that to be unlawful, which, by ex- " perience, we have found to be derived from neceſſity, and from a neceſſity ſo " urgent, that it admits not of remedy from any law.——And I beſeech you " to conſider, whether thoſe, who have been in the ſame place which I now oc- " cupy, have not freely given warrants for commitment; and yet no doubt been " entertained, nor any complaint made by the ſubject *." Chap. II. 1628.

Upon this ſpeech there aroſe a great debate in the houſe. Many reaſons were a-new urged on both ſides: But, Sir Thomas Wentworth cloſed the debate, by ſaying, " That never houſe of parliament, ſo far as regarded themſelves, truſted " more than the preſent to the goodneſs of their king: But we are ambitious," ſaid he, " that his Majeſty's goodneſs may remain to poſterity, and we are ac- " countable for a public truſt. There hath been a public violation of the laws " by the King's miniſters; and nothing can ſatisfy the nation but a public repara- " tion. Our deſire to vindicate the ſubject's right by bill, will carry us no far- " ther than what is contained in former laws, with ſome modeſt proviſion for in- " ſtruction, performance, and execution †." This contained ſo much the ſen- timents of the houſe, that it was univerſally acquieſced in.

The King, however, was not diſcouraged. By another meſſage, he attempted to divert the commons from their purpoſe. He there acknowleged paſt er- rors, and promiſed, that, hereafter, there ſhould be no juſt cauſe of complaint. And he added, " That the affairs of the kingdom preſs him ſo, that he could not " continue the ſeſſion above a week or two longer: And if the houſe be not " ready, by that time, to do what is fit for themſelves, it ſhall be their own " fault ‡." On a ſubſequent occaſion he aſked them, " Why demand explana- " tions, if you doubt not the performance of the ſtatutes, according to their " true meaning. Explanations will hazard an encroachment upon the preroga- " tive. And it may well be ſaid, what need a new law to confirm an old, if " you repoſe confidence in the declarations, which his Majeſty made to both " houſes §." The truth is, the great charter and the old ſtatutes were ſufficiently clear in favour of liberty: But as all kings of England, had ever, in caſes of ne- ceſſity or expediency, been accuſtomed, at intervals, to elude them; and as Charles, in a complication of inſtances, had lately violated them; the commons judged it requiſite to enact a new law, which might not be eluded or violated, by any interpretation, conſtruction, or contrary precedent. Nor was it ſufficient, they thought, that the King promiſed to return into the way of his predeceſſors. His predeceſſors, in all times, had enjoyed, at leaſt, exerciſed, too much diſcre-

* State Trials, vol. vii. p. 189, 190. Ruſhw. vol. i. p. 553. † Ruſhw. vol. i. p. 554.
‡ State Trials, vol. vii. p. 193. § State Trials, vol. vii. p. 196. Ruſhw. vol. i. p. 556.

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tionary power; and by his recent abuſe of it, the whole world had reaſon to ſee the neceſſity of intirely retrenching it.

Sir Edward Coke urged on this occaſion, with the approbation of the whole houſe, "Was it ever known that general words were a ſufficient ſatisfaction for "particular grievances? Was ever a verbal declaration of the king the word of "the ſovereign? When grievances are complained of, the parliament is to redreſs "them. Did ever the parliament rely on meſſages? They have ever put up "petitions of their grievances, and the king has ever anſwered them. The king's "meſſage is very gracious; but, what is the law of the realm, that is the queſ-"tion. I have no diffidence of his Majeſty; but the king muſt ſpeak by record, "and in particulars. Did you ever know the king's meſſage come into a bill of "ſubſidies? All ſucceeding kings will ſay, *Ye muſt truſt me as you did my prede-"ceſſor, and ye muſt have the ſame confidence in my meſſages.* But meſſages of love "never come into a parliament. Let us put up a petition of right: Not that I "diſtruſt the King; but that I cannot give truſt except in a parliamentary "way *."

The King ſtill perſevered in his endeavours to elude the petition. He ſent a letter to the houſe of lords, in which he went ſo far as to make a particular declaration, "That neither he nor his privy council ſhall or will, at any time hereafter, "commit or command to priſon, or otherwiſe reſtrain, any man for not lending "money, or for any other cauſe, which, in his conſcience, he thought not to "concern the public good, and the ſafety of king and people." And he farther declared, "That he never would be guilty of ſo baſe an action as to pretend any "cauſe, of whoſe truth he was not fully ſatisfied †." But this promiſe, tho' inforced to the commons by the recommendation of the upper houſe, made no more impreſſion than all the former meſſages.

Among the other evaſions of the king, we may reckon the propoſal of the houſe of peers, to ſubjoin, to the intended petition of right, the following clauſe, "We humbly preſent this petition to your Majeſty, not only with a care "of preſerving our own liberties, but with due regard to leave intire that *ſove-"reign power* with which your Majeſty is entruſted for the protection, ſafety, "and happineſs of your people ‡." Leſs penetration, than what was poſſeſſed by the leaders of the houſe of commons, could eaſily diſcover how captious this clauſe was, and how much it was calculated to elude the whole force of the petition.

* State Trials, vol. vii. p. 197. Ruſhw. vol. i. p. 558.

† State Trials, vol. vii. p. 198. Ruſhw. vol. i. p. 560. Parl. Hiſt. vol. viii. p. 3.

‡ State Trials, vol. vii. p. 197. Ruſhw. vol. i. p. 561. Parl. Hiſt. vol. viii. p. 116. Whitlocke, p. 10.

These

THESE obſtacles, therefore, being ſurmounted, the petition of right paſſed the commons, and was ſent to the upper houſe *. The peers, who were probably Chap. II. 1628.

* *This petition is of ſo great importance, that we ſhall here give it at length.* Humbly ſhew unto our Sovereign Lord the King, the lords ſpiritual and temporal, and commons in parliament aſſembled, That, whereas it is declared and enacted, by a ſtatute made in the time of the reign of King Edward I. commonly called *Statutum de tallagio non concedendo*, that no tallage or aid ſhall be laid or levied by the King or his heirs in this realm, without the good-will and aſſent of the archbiſhops, biſhops, earls, barons, knights, burgeſſes, and other the freemen of the commonalty of this realm: And, by authority of parliament holden in the five and twentieth year of the reign of King Edward III. it is declared and enacted, That, from thenceforth, no perſon ſhould be compelled to make any loans to the King againſt his will, becauſe ſuch loans were againſt reaſon, and the franchiſe of the land: And, by other laws of this realm, it is provided, that none ſhould be charged by any charge or impoſition called a benevolence, or by ſuch like charge: By which the ſtatutes before-mentioned, and other the good laws and ſtatutes of this realm, your ſubjects have inherited this freedom, that they ſhould not be compelled to contribute to any tax, tallage, aid, or other like charge not ſet by common conſent in parliament.

II. Yet nevertheleſs, of late divers commiſſions directed to ſundry commiſſioners in ſeveral counties, with inſtructions, have iſſued; by means whereof your people have been in divers places aſſembled, and required to lend certain ſums of money unto your Majeſty, and many of them, upon their refuſal ſo to do, have had an oath adminiſtered unto them not warrantable by the laws or ſtatutes of this realm, and have been conſtrained to become bound to make appearance and give attendance before your privy council, and, in other places, and others of them, have been therefore impriſoned, confined, and ſundry other ways moleſted and diſquieted: And divers other charges have been laid and levied upon your people, in ſeveral counties, by lord-lieutenants, deputy-lieutenants, commiſſioners for muſters, juſtices of peace, and others, by command or direction from your Majeſty or your privy council, againſt the laws and free cuſtoms of this realm.

III. And whereas alſo, by the ſtatute called *The great charter of the liberties of England*, it is declared and enacted, That no freeman may be taken or impriſoned, or be diſſeized of his freehold or liberties, or his free cuſtoms, or be outlawed or exiled, or in any manner deſtroyed, but by the lawful judgment of his peers, or by the law of the land.

IV. And, in the eight and twentieth year of the reign of King Edward III. it was declared and enacted, by authority of parliament, That no man, of what eſtate or condition that he be, ſhould be put out of his land or tenements, nor taken, nor impriſoned, nor diſherited, nor put to death, without being brought to anſwer by due proceſs of law.

V. Nevertheleſs, againſt the tenor of the ſaid ſtatutes, and other the good laws and ſtatutes of your realm to that end provided, divers of your ſubjects have of late been impriſoned without any cauſe ſhewed: And when, for their deliverance, they were brought before juſtice, by your Majeſty's writs of *Habeas Corpus*, there to undergo and receive as the court ſhould order, and their keepers commanded to certify the cauſes of their detainer, no cauſe was certified, but that they were detained by your Majeſty's ſpecial command, ſignified by the lords of your privy council, and yet were returned back to ſeveral priſons, without being charged with any thing to which they might make anſwer according to the law.

VI. And whereas of late great companies of ſoldiers and mariners have been diſperſed into divers counties of the realm, and the inhabitants, againſt their wills, have been compelled to receive them

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bably well pleaſed in ſecret, that all their ſolicitations had been eluded by the commons, quickly paſſed the petition without any material alteration; and nothing

into their houſes, and there to ſuffer them to ſojourn, againſt the laws and cuſtoms of this realm, and to the great grievance and vexation of the people.

VII. And whereas alſo, by authority of parliament, in the five and twentieth year of the reign of King Edward III. it is declared and enacted, that no man ſhould be fore-judged of life or limb againſt the form of the *Great charter* and law of the land: And, by the ſaid *Great charter*, and other the laws and ſtatutes of this your realm, no man ought to be judged to death but by the laws eſtabliſhed in this your realm, either by the cuſtoms of the ſame realm, or by acts of parliament: And whereas no offender, of what kind ſoever, is exempted from the proceedings to be uſed, and puniſhments to be inflicted by the laws and ſtatutes of this your realm: Nevertheleſs, of late divers commiſſions, under your Majeſty's great ſeal, have iſſued forth, by which certain perſons have been aſſigned and appointed commiſſioners, with power and authority to proceed within the land, according to the juſtice of martial law, againſt ſuch ſoldiers and mariners, or other diſſolute perſons joining with them, as ſhould commit any murder, robbery, felony, mutiny, or other outrage or miſdemeanor whatſoever, and by ſuch ſummary courſe and order as is agreeable to martial law, and as is uſed in armies in time of war, to proceed to the trial and condemnation of ſuch offenders, and them to cauſe to be executed and put to death according to the law martial.

VIII. By pretext whereof ſome of your Majeſty's ſubjects have been, by ſome of the ſaid commiſſioners, put to death, when and where, if, by the laws and ſtatutes of the land, they had deſerved death, by the ſame laws and ſtatutes alſo they might, and by no other ought, to have been judged and executed.

IX. And alſo ſundry grievous offenders, by colour thereof claiming an exemption, have eſcaped the puniſhments due to them by the laws and ſtatutes of this your realm, by reaſon that divers of your officers and miniſters of juſtice have unjuſtly refuſed or forborn to proceed againſt ſuch offenders, according to the ſame laws and ſtatutes, upon pretence that the ſaid offenders were puniſhable only by martial law, and by authority of ſuch commiſſions as aforeſaid: Which commiſſions, and all other of like nature, are wholly and directly contrary to the ſaid laws and ſtatutes of this your realm.

X. They do therefore humbly pray your moſt excellent Majeſty, That no man hereafter be compelled to make or yield any gift, loan, benevolence, tax, or ſuch like charge, without common conſent, by act of parliament: and that none be called to make anſwer, or take ſuch oath, or to give attendance, or be confined, or otherwiſe moleſted or diſquieted concerning the ſame, or for refuſal thereof: And that no freeman, in any ſuch manner as is before-mentioned, be impriſoned or detained: And that your Majeſty would be pleaſed to remove the ſaid ſoldiers and mariners, and that your people may not be ſo burthened in time to come: And that the aforeſaid commiſſions, for proceeding by martial law, may be revoked and annulled: And that hereafter no commiſſions of like nature may iſſue forth, to any perſon or perſons whatſoever, to be executed as aforeſaid, leſt, by colour of them, any of your Majeſty's ſubjects be deſtroyed, or put to death, contrary to the laws and franchiſe of the land.

XI. All which they moſt humbly pray of your moſt excellent Majeſty, as their rights and liberties, according to the laws and ſtatutes of this realm: And that your Majeſty would alſo vouchſafe to declare, That the awards, doings and proceedings to the prejudice of your people, in any of the premiſſes, ſhall not be drawn hereafter into conſequence or example: And that your Majeſty would be alſo graciouſly pleaſed, for the further comfort and ſafety of your people, to declare your royal will and

thing but the royal aſſent was wanting to give it the force of a law. The King accordingly came to the houſe of peers; ſent for the commons; and, being ſeated in his chair of ſtate, the petition was read to him. Great was now the aſtoniſhment of all men, when, inſtead of the uſual conciſe, and clear form, by which a bill is either confirmed or rejected, Charles ſaid, in anſwer to the petition, "The "King willeth, that right be done according to the laws and cuſtoms of the "realm, and that the ſtatutes be put in due execution; that his ſubjects may have "no cauſe to complain of any wrong or oppreſſion, contrary to their juſt rights "and liberties, to the preſervation whereof he holds himſelf in conſcience as "much obliged as of his own prerogative *." Chap. II. 1628.

It is ſurprizing, that Charles, who had ſeen ſo many inſtances of the jealouſy of the commons, who had himſelf ſo much rouzed that jealouſy by his frequent evaſive meſſages during this ſeſſion, could imagine, that they would remain ſatisfied with an anſwer ſo vague and undetermined. It was evident, that the unuſual form alone of the anſwer muſt excite their attention; that the diſappointment muſt inflame their anger; and that therefore it was neceſſary, as the petition ſeemed to bear hard on royal prerogative, to come early to ſome fixed reſolution, either gracefully to comply with it, or courageouſly to reject it.

It happened, as might have been foreſeen. The commons returned in very ill-humour. Uſually, when in that diſpoſition, their zeal and jealouſy for religion, and their enmity againſt the unfortunate catholics, ran extremely high. But they had already, in the beginning of the ſeſſion, preſented to the King their petition of religion, and had received a ſatisfactory anſwer; tho' they expected, that the execution of the laws againſt papiſts would, for the future, be no more exact and rigid, than they had hitherto found it. To give vent to their preſent indignation, they fell, with their utmoſt force, on Dr. Manwaring.

There is nothing, which tends more to excuſe, if not to juſtify, the extreme rigour of the commons towards Charles, than his open encouragement and avowal of ſuch general principles, as were altogether incompatible with a limited government. Manwaring had preached a ſermon, which the commons found, upon inquiry, to be printed by ſpecial command from the King †; and, when this ſermon was looked into, it contained doctrines ſubverſive of all civil liberty. It taught, That, tho' property was commonly lodged in the ſubject, yet, whenever any exigency required ſupply, all property was transferred to the king; that the conſent of parliament was not requiſite for the impoſition of taxes; and that the divine laws required compliance with every demand, however irregular, which

and pleaſure, That, in the things aforeſaid, all your officers and miniſters ſhall ſerve you according to the laws and ſtatutes of this realm, as they tender the honour of your Majeſty, and the proſperity of this kingdom. *Stat.* 4 *Car. cap.* 14.

* State Trials, vol. vii. p. 212. Ruſhw. vol. i. p. 590. † Parl. Hiſt. vol. viii. p. 206.

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the prince ſhould make upon his ſubjects *. For theſe doctrines, the commons impeached Manwaring before the peers. The ſentence pronounced upon him was, That he ſhould be impriſoned during the pleaſure of the houſe, be fined a thouſand pounds to the King, make ſubmiſſion and acknowlegement for his offence, be ſuſpended during three years, be incapable of holding any eccleſiaſtical dignity or ſecular office, and that his book be called in and burnt †.

It may be worth notice, that, no ſooner was the ſeſſion ended, than this man, ſo juſtly diſagreeable to both houſes, received a pardon, and was promoted to a living of conſiderable value ‡. Some years after, he was raiſed to the ſee of St. Aſaph. If the republican ſpirit of the commons increaſed, beyond all reaſonable bounds, the monarchical ſpirit of the court; this latter, carried to ſo high a pitch, tended ſtill farther to augment the former. And thus extremes were every where affected, and the juſt medium was gradually deſerted by all men.

From Manwaring, the houſe of commons proceeded to cenſure the conduct of Buckingham, whoſe name, hitherto, they had cautiouſly forborne to mention §. In vain, did the King ſend them a meſſage, in which he told them, that the ſeſſion was drawing near a concluſion; and deſired, that they would not enter upon new buſineſs, nor caſt any aſperſions on his government and miniſtry ‖. Tho' the court endeavoured to explain and ſoften this meſſage by a ſubſequent meſſage †; as Charles was apt haſtily to correct any haſty ſtep, which he had taken; it ſerved rather to inflame than appeaſe the commons: As if the method of their proceeding had here been preſcribed to them. It was foreſeen, that a great tempeſt was ready to burſt on the Duke; and in order to divert it, the King thought proper, upon a joint application of the lords and commons **, to endeavour the giving them ſatisfaction, with regard to the petition of right. He came, therefore, to the houſe of peers, and pronouncing the uſual form of words, *Let it be law as is deſired*, gave full ſanction and authority to the petition. The acclamations with which the houſe reſounded, and the univerſal joy diffuſed over the nation, ſhowed how much this petition had been the object of all mens vows and expectations §§.

It may be affirmed, without any exaggeration, that the King's aſſent to the petition of right produced ſuch a change in the government, as was almoſt equivalent to a revolution; and by circumſcribing, in ſo many articles, the royal prerogative, gave additional ſecurity to the liberties of the ſubject. Yet were the commons far from being ſatisfied with this important conceſſion. Their ill humour had been ſo much irritated by the King's frequent evaſions and delays,

* Ruſhworth, vol. i. p. 585, 591. Parl. Hiſt. vol. viii. p. 168, 169, 170, &c. Welwood, p. 44.
† Ruſhw. vol. i. p. 605. Parl. Hiſt. vol. viii. p. 212. ‡ Ruſhw. vol. i. p. 635. Whitlocke, p. 11.
§ Ruſhw. vol. i. p. 607. ‖ Ruſhw. vol. i. p. 605. † Ruſhw. vol. i. p. 610. Parl. Hiſt. vol. viii. p. 197. ** Ruſhw. vol. i. p. 613. Journ. 7th June, 1628. Parl. Hiſt. vol. viii. p. 201. §§ Ruſhw. vol. i. p. 613.

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that it could not be preſently appeaſed by an aſſent, which he allowed to be ſo ungracefully extorted from him. Perhaps too, the popular leaders, implacable and artful, ſaw the opportunity favourable; and turning againſt the King thoſe very weapons, with which he had furniſhed them, reſolved to purſue the victory. The bill, however, for five ſubſidies, which had been formerly voted, immediately paſſed the houſe; becauſe the granting that ſupply was, in a manner, tacitly contracted for, upon the royal aſſent to the petition; and had faith been here violated, no farther confidence could have ſubſiſted between King and parliament. Having made this conceſſion, the commons continued to carry their ſcrutiny into every part of government. In ſome particulars, their induſtry was laudable; in ſome, it was liable to cenſure.

A LITTLE after writs were iſſued for ſummoning this parliament, a commiſſion had been granted to Sir Thomas Coventry, Lord keeper, the Earl of Marlborough, high treaſurer, the Earl of Mancheſter, Lord preſident of the council, the Earl of Worceſter, privy ſeal, the Duke of Buckingham, high admiral, and all the conſiderable officers of the crown, in the whole thirty-three. By this commiſſion, which, from the number of perſons named in it, could be no ſecret, the commiſſioners were empowered to meet, and to concert among themſelves the methods of levying money by impoſitions, or otherwiſe; *Where form and circumſtance*, as expreſſed in the commiſſion, *muſt be diſpenſed with, rather than the ſubſtance be loſt or hazarded* *. In other words, this was a ſcheme for finding expedients, which might raiſe the prerogative to the greateſt height, and render parliaments intirely uſeleſs. The commons applied for cancelling the commiſſion †; and were, no doubt, deſirous, that all the world ſhould conclude the King's principles to be extremely arbitrary, and ſhould obſerve what little regard he was diſpoſed to pay to the liberties and privileges of his people.

A COMMISSION had likewiſe been granted, and ſome money remitted in order to raiſe a thouſand German horſe, and tranſport them into England. Theſe were ſuppoſed to be levied, in order to ſupport the projected impoſitions or exciſes; tho' the number ſeems very inſufficient for ſuch a porpoſe ‡. The houſe took notice of this deſign in very ſevere terms: And no meaſure, ſurely, could be projected more generally odious to the whole nation. It muſt, however, be confeſſed, that the King was ſo far right, that he had, now at laſt, fallen on the only effectual method of ſupporting his prerogative. But at the ſame time, he ſhould have been ſenſible, that, till provided of a ſufficient military force, all his attempts, in oppoſition to the riſing ſpirit of the nation, muſt, in the end, prove intirely fruitleſs; and that the higher he ſcrewed up the ſprings of government,

* Ruſhw. vol. i. p. 614. Parl. Hiſt. vol. viii p. 214. † Journ. 13th June, 1628.
‡ Ruſhw. vol. i. p. 612.

while

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while he had ſo little real power to retain them in that forced ſituation, with more fatal violence muſt they fly out, when any accident occurred to reſtore them to their natural action.

THE commons next reſumed their cenſure of Buckingham's conduct and behaviour, againſt whom they were implacable. They agreed to preſent a remonſtrance to the King, in which they recapitulated all national grievances and misfortunes, and omitted no circumſtance, which could render the whole adminiſtration deſpicable and odious. The compoſitions with catholics, they ſaid, amounted to no leſs than a toleration, hateful to God, full of diſhonour and diſprofit to his Majeſty, and of extreme ſcandal and grief to his good people: They took notice of the violations of liberty above-mentioned, againſt which the petition of right ſeems to have provided a ſufficient remedy: They mentioned the decay of trade, the unſucceſsful expeditions to Cadiz and the iſle of Rhé, the encouragement given to Arminians, the commiſſion for tranſporting German horſe, that for levying new impoſitions; and all theſe grievances they aſcribed ſolely to the ill conduct of the Duke of Buckingham *. This remonſtrance was, perhaps, not the leſs provoking to Charles, that, joined to the extreme acrimony of the ſubject, there were preſerved in it, as in moſt of the proteſtations and remonſtrances of that age, an affected civility and ſubmiſſion in the language.

Prorogation.

IT was not without good grounds, that the commons were ſo fierce and aſſuming. Tho' they had already granted the King the ſupply of five ſubſidies, they ſtill retained a pledge in their hands, which, they thought, enſured them ſucceſs in all their applications. Tonnage and poundage had not yet been granted by parliament; and the commons had artfully, this ſeſſion, concealed their intention of invading that branch of revenue, till the royal aſſent had been obtained to the petition of right, which they juſtly eſteemed of ſuch importance. They then openly aſſerted, that the levying tonnage and poundage without conſent of parliament, was a palpable violation of all the antient liberties of the people, and an open infringement of the petition of right, ſo lately granted †. The King, in order to prevent the finiſhing and preſenting this remonſtrance, came ſuddenly to the parliament, and ended this ſeſſion by a prorogation ‡.

BEING freed, for ſome time, from the embarraſſment of this aſſembly, Charles began to look towards foreign wars, where all his efforts were equally unſucceſsful, as in his domeſtic government. The Earl of Denbigh, brother-in-law to Buckingham, was diſpatched to the relief of Rochelle, now cloſely beſieged by land, and threatened with a blockade by ſea: But he returned without effecting

* Ruſhw. vol. i. p. 619. Parl. Hiſt. vol. viii. p. 219, 220, &c. Journ. 18th, 20th June, 1628.

† Ruſhw. vol. i. p. 628.

‡ Journ. 26th June, 1628.

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any thing; and having declined to attack the enemy's fleet, he brought on the Engliſh arms the imputation, either of cowardice or ill conduct. In order to repair this diſhonour, the Duke went to Portſmouth, where he had prepared a conſiderable fleet and army, on which all the ſubſidies, given by parliament, had been expended. This ſupply had very much diſappointed the King's expectations. The ſame mutinous ſpirit, which prevailed in the houſe of commons, had diffuſed itſelf over the nation; and the commiſſioners, appointed for making the aſſeſſments, had connived at all frauds, which might diminiſh the ſupply, and reduce the crown to ſtill greater neceſſities. This national diſcontent, communicated to a deſperate enthuſiaſt, ſoon broke out in an event, which may be conſidered as very remarkable. Chap. II. 1628.

THERE was one Felton, of a good family, but of an ardent, melancholic temper, who had ſerved under the Duke, in the ſtation of lieutenant. His captain being killed in the retreat at the iſle of Rhé, Felton had ſolicited for the company; and when diſappointed, he threw up his commiſſion, and retired in diſcontent from the army. While private reſentment was boiling in his ſullen, unſociable mind, he heard the nation reſound with complaints againſt the Duke; and he met with the remonſtrance of the commons, in which his enemy was repreſented as the cauſe of every national grievance, and as the great enemy of the public. Religious fanaticiſm farther inflamed theſe vindictive reflections; and he fancied, that he ſhould do heaven acceptable ſervice, if, at one blow, he diſpatched this dangerous foe to religion and to his country *. Full of theſe dark views, he ſecretly arrived at Portſmouth, at the ſame time with the Duke, and watched for an opportunity of effecting his bloody purpoſe.

BUCKINGHAM had been engaged in converſation with Soubize and other French gentlemen; and a difference of ſentiments having ariſen, the diſpute, tho' conducted with temper and decency, had produced ſome of thoſe vehement geſticulations and lively exertions of voice, in which that nation, more than the Engliſh, are apt to indulge themſelves. The converſation being finiſhed, the Duke drew towards the door; and in that paſſage, turning himſelf to ſpeak to Sir Thomas Fryar, a colonel in the army, he was, on the ſudden, over Sir Thomas's ſhoulder, ſtruck upon the breaſt with a knife. Without uttering other words than *The villain has killed me*; in the ſame moment, pulling out the knife, he breathed his laſt. 23d of Auguſt. Death of Buckingham.

No man had ſeen the blow, nor the perſon who gave it; but in the confuſion, every one made his own conjecture; and all agreed, that the murder had been committed by the French gentlemen, whoſe angry tone of voice had been heard, while their words had not been underſtood, by the byeſtanders. In the hurry of

* May's Hiſt. of the Parl. p. 10.

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revenge, they had inſtantly been put to death, had they not been ſaved by ſome of more temper and judgment, who, tho' they had the ſame opinion of their guilt, thought proper to reſerve them for a judicial trial and examination.

NEAR the door, there was found a hat, in the inſide of which was ſowed a paper, containing four or five lines of that remonſtrance of the commons, which declared Buckingham an enemy to the kingdom; and under theſe lines was a ſhort ejaculation or attempt towards a prayer. It was eaſily concluded, that this hat belonged to the aſſaſſin: But the difficulty ſtill remained; *who that perſon ſhould be?* For the writing diſcovered not the name; and whoever he was, it was natural to believe, that he had already fled far enough, not to be found without a hat.

IN this hurry, a man without a hat was ſeen walking very compoſedly before the door. One crying out, *Here is the fellow, who killed the Duke*; every body ran to aſk, *Which is he?* The man very ſedately anſwered, *I am he.* The more furious immediately ruſhed upon him with drawn ſwords. Others, more deliberate, defended and protected him: He himſelf, with open arms, very calmly and chearfully expoſed his breaſt to the ſwords of the moſt enraged: being willing to fall a ſudden ſacrifice to their anger, rather than be reſerved for that public juſtice, which he knew muſt be executed upon him.

HE was now known to be that Felton, who had ſerved in the army. Being carried into a private room, it was thought proper ſo far to diſſemble as to tell him, that Buckingham was only grievouſly wounded, but not without hopes of recovery. Felton ſmiled, and told them, that the Duke, he knew full well, had received a blow, which had terminated all their hopes. When aſked, at whoſe inſtigation he had performed that horrid deed? He anſwered, that they needed not to trouble themſelves in that enquiry; that no man living had credit enough with him to have diſpoſed him to ſuch an action; that he had not even entruſted his purpoſe to any one; that the reſolution proceeded only from himſelf and the impulſe of his own conſcience; and that his motives would appear, if his hat was found: For that, believing he would periſh in the attempt, he had there taken care to explain them *.

WHEN the King was informed of this aſſaſſination, he received the news in public with an unmoved and undiſturbed countenance; and the courtiers, who ſtudied his looks, concluded, that ſecretly he was not diſpleaſed to be rid of a miniſter, ſo generally odious to the nation †. But Charles's command of himſelf proceeded intirely from the gravity and compoſure of his temper. He was ſtill, as much as ever, attached to his favourite; and, during his whole life, he re-

* Clarendon, vol. i. p. 27, 28. † Warwick, p. 34.

tained

tained an affection for Buckingham's friends, and a prejudice againſt his enemies. He urged too, that Felton ſhould be put to the queſtion, in order to extort from him a diſcovery of his accomplices: But the judges declared, that, tho' that practice had been formerly very uſual, it was altogether illegal. So much more exact reaſoners, with regard to law, had they become, from the jealous ſcruples of the houſe of commons. Chap. II. 1628.

MEAN while the diſtreſs of Rochelle had riſen to the utmoſt extremity. That vaſt genius of Richelieu, which made him form the greateſt enterprizes, led him to attempt their execution, by means equally great and extraordinary. In order to deprive Rochelle of all ſuccour, he had dared to project the throwing croſs the harbour a mole of a mile's extent in that boiſterous ocean; and having executed his project, he now held the town cloſely blockaded on all ſides. The inhabitants, tho' preſſed with the greateſt rigours of famine, ſtill refuſed to ſubmit; being ſupported, partly by the lectures of their zealous preachers, partly by the daily hopes of aſſiſtance from England. After Buckingham's death, the command of the fleet and army was conferred on the Earl of Lindeſey; who, arriving before Rochelle, made ſome attempts to break thro' the mole, and force his way into the town: But by the delays of the Engliſh, that work was now fully finiſhed and fortified; and the Rochellers, finding their laſt hopes to fail them, were reduced to ſurrender at diſcretion, even in ſight of the Engliſh admiral. Of 15,000 perſons, who had been ſhut up in the town, 4000 alone ſurvived the fatigues and famine, which they had undergone *. 18th of Oct.

THIS was the firſt neceſſary ſtep towards the proſperity of France. Foreign enemies, as well as domeſtic factions, being deprived of this reſource, that kingdom began now to ſhine forth in its full ſplendor. By a ſteady proſecution of wiſe plans, both of war and policy, it gradually gained an aſcendant over the rival power of Spain; and every order of the ſtate, and every ſect, were reduced to pay ſubmiſſion to the lawful authority of the ſovereign. The victory, however, over the hugonots was, at firſt, puſhed by the French King with great moderation. A toleration was ſtill continued to them; the only avowed and open toleration, which, at that time, was granted in any European kingdom.

THE failure of an enterprize, in which the Engliſh nation, from religious ſympathy, ſo much intereſted themſelves, could not but diminiſh the King's authority in the parliament during the approaching ſeſſion: But the commons, when aſſembled, found many other cauſes of complaint. Buckingham's conduct and character, with ſome had afforded a reaſon, with others a pretence, for diſcontent againſt public meaſures: But after his death, there wanted not new reaſons and new pretences for general diſſatisfaction. Manwaring's pardon and promotion were taken 1629. 20th January. New ſeſſion of parliament.

* Ruſhw. vol. i. p. 636.

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notice of: Sibthorpe and Cosins, two Clergymen, who, for like reasons, were equally disagreeable to the commons, had met with equal favour from the King: Montague, who had been censured for moderation to the catholics, the greatest of crimes, had been created bishop of Chichester. They found, likewise, upon enquiry, that all the copies of the petition of right, which were dispersed, had, by the King's orders, annexed to them the first answer, which had given so little satisfaction to the commons *. An expedient of Charles, by which he endeavoured to persuade the people, that he had nowise receded from his former claims and pretensions, particularly with regard to the levying tonnage and poundage. Selden also complained in the house, that one Savage, contrary to the petition of right, had been punished with the loss of his ears, by a discretionary or arbitrary sentence of the star-chamber †. So apt were they, on their part, to stretch the petition into such consequences as might deprive the crown of powers, which, from immemorial custom, were supposed inherent in it.

Tonnage and poundage.

But the great article, on which the house of commons broke with the King, and which finally created in Charles a disgust to all parliaments, was their claim with regard to tonnage and poundage. On this occasion, therefore, it is necessary to give an account of the controversy.

The duty of tonnage and poundage, in more antient times, had been commonly a temporary grant of the parliament; but it had been conferred on Henry V. and all the succeeding princes, during life, in order to enable them to maintain a naval force for the protection of the kingdom. The necessity of levying this duty had been so apparent, that each King had ever claimed it from the moment of his accession; and the first parliament of each reign had ever by vote, conferred on the prince what they found him already in possession of. Agreeable to the inaccurate genius of the old constitution, this abuse, however considerable, had never been perceived nor remedied; tho' nothing could have been easier than for the parliament to have prevented it ‡. By granting this duty to each prince, during his own life; and, for a year after his decease, to the successor, all inconveniencies had been obviated; and yet the duty had never, for a moment, been levied without proper authority. But contrivances of that nature were not thought of during those rude ages: And as so complicated and jealous a government as the English cannot subsist without many such refinements; it is easy to see, how favourable every inaccuracy must formerly have proved to royal authority, which, on all emergencies, was obliged to supply, by discretionary power, the great deficiency of the laws.

* State Trials, vol. vii. p. 216. Rushw. vol. i. p. 643.

† State Trials, vol. vii. p. 216. Parl. Hist. vol. viii. p. 246. ‡ Parl. Hist. vol. viii. p. 339, 340.

The

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THE parliament did not grant the duties of tonnage and poundage to Henry VIII. till the ſixth year of his reign: Yet this prince, who had not then raiſed his power to its greateſt height, continued, during that whole time, to levy theſe duties: The parliament, in their very grant, blame the merchants, who had neglected to make payment to the crown; and tho' ſome expreſſions of that bill ſeem ambiguous and equivocal, they employ the plaineſt terms in calling tonnage and poundage the King's due, even before they were conferred on him by parliamentary authority *. Four reigns, and above a whole century, were ſince elapſed; and theſe duties had ſtill been levied before they were voted by parliament. So long had this inaccuracy continued, without being remarked or corrected!

DURING that ſhort interval, which elapſed between Charles's acceſſion and his firſt parliament, he had followed the example of his predeceſſors; and no fault was found with his conduct in this particular. But what was moſt remarkable in the proceedings of that houſe of commons, and what proved beyond controverſy, that they had ſeriouſly formed a plan for reducing their prince to dependance, was, that, inſtead of granting this ſupply during the King's life, as it had been enjoyed by all his immediate predeceſſors, they voted it only for a year; and, after that ſhould be elapſed, reſerved to themſelves the power of renewing or refuſing the ſame conceſſion †. But the houſe of peers, who ſaw that this duty was now become more neceſſary than ever to ſupply the growing neceſſities of the crown, and who did not approve of this encroaching ſpirit of the commons, rejected the bill; and the diſſolution of that parliament followed ſo ſoon after, that no attempt ſeems to have been made for the obtaining tonnage and poundage in any other form ‡.

CHARLES, mean while, continued ſtill to levy theſe duties by his own authority; and the nation was ſo accuſtomed to this exertion of royal power, that no ſcruple was, at firſt, entertained of ſubmitting to it. But the ſucceeding parliament excited doubts in every one. The commons made there ſome ſteps towards declaring it illegal to levy tonnage and poundage without conſent of parliament, and they openly ſhowed their intention of employing this engine, in order to extort from the crown conceſſions of the moſt important nature. But Charles was not yet ſufficiently tamed to compliance; and the abrupt diſſolution of that

* 6 Hen. VIII. cap. 14. † Journ. 5th July, 1625.

‡ The reaſon, aſſigned by Sir Philip Warwick, p. 2d, for this unuſual meaſure of the commons, is, that they intended to deprive the crown of the prerogative, which it had aſſumed, of varying the rates of the impoſitions, and, at the ſame time, were reſolved to cut off the new rates laid on by James. Theſe were conſiderable diminutions both of revenue and prerogative; and whether they would have there ſtopt, conſidering their preſent diſpoſition, may appear ſomewhat uncertain. The King, it ſeems, and the lords were reſolved not to truſt them; nor to render a revenue once precarious, which perhaps they might never afterwards be able to get re-eſtabliſhed on the old footing.

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parliament, as above related, put an end, for the time, to their farther pretenſions.

THE following interval, between the ſecond and third parliament, was diſtinguiſhed by ſo many exertions of prerogative, that men had little leiſure to attend to this affair of tonnage and poundage, where the abuſe of power in the crown might ſeem to be of a more diſputable nature. But after the commons, during the precedent ſeſſion, had remedied all theſe grievances by means of their petition of right, which was become ſo neceſſary; they afterwards proceeded to take this matter into conſideration, and they ſhowed the ſame intention, as formerly, of exacting, in return for the grant of this revenue, very large compliances on the part of the crown. Their ſudden prorogation prevented them from bringing their pretenſions to a full concluſion.

WHEN Charles opened this ſeſſion, he had foreſeen, that the ſame controverſy would ariſe; and he therefore took care, very early, among many mild and reconciling expreſſions, to inform the commons, "That he had not taken theſe "duties as appertaining to his hereditary prerogative; but that it ever was, and "ſtill is, his meaning to enjoy them as a gift of his people: And that, if he "had hitherto levied tonnage and poundage, he pretended to juſtify himſelf only "by the neceſſity of ſo doing, not by any right which he aſſumed *." This conceſſion, which probably proceeded from the King's moderate temper, now freed from the impulſe of Buckingham's violent councils, might have ſatisfied the commons, had they entertained no other view, than that of aſcertaining their own rights and privileges. But they carried their pretenſions much higher. They inſiſted, as a neceſſary preliminary, that the King ſhould once entirely deſiſt from levying theſe duties; after which they were to take into conſideration, how far they would reſtore him to the poſſeſſion of a revenue, of which he had clearly diveſted himſelf. But beſides that this extreme rigour had never been exerciſed towards any of his predeceſſors, and many obvious prejudices muſt follow the intermiſſion of the cuſtoms; there were other reaſons, which deterred Charles from complying with ſo hard a condition. It was probable, that the commons might renew their former project of making this revenue only temporary, and thereby reducing their prince to perpetual dependance; they certainly would cut off all the new impoſitions, which Mary and Elizabeth, but eſpecially James, had levied, and which formed no deſpicable part of the public revenue; and they openly declared, that they had, at preſent, many important pretenſions, chiefly with regard to religion; and if compliance was refuſed, no ſupply muſt be expected from the commons.

IT is eaſy to ſee in what an inextricable labyrinth Charles was now involved. By his own conceſſions, by the general principles of the Engliſh government, and

* Ruſhw. vol. i. p. 644. Parl. Hiſt. vol. viii. p. 256. 346.

by

by the form of every bill, which had granted this duty, tonnage and poundage was derived entirely from the free gift of the people; and, by conſequence, might be withdrawn at their pleaſure. If unreaſonable in their refuſal, they ſtill refuſed nothing but what was their own. If public neceſſity required this ſupply, it alſo required the King's compliance with thoſe conditions, which were the price of obtaining it. Tho' the motive of granting it had been the enabling the King to guard the ſeas; it did not follow, that, becauſe he guarded the ſeas, he was therefore entitled to this revenue, without any farther formality; ſince the people had ſtill reſerved to themſelves the right of judging how far that ſervice merited ſuch a ſupply. But Charles, notwithſtanding his public declaration, was far from aſſenting to this concluſion, in its full extent. The plain conſequence, he ſaw, of all theſe rigours, and refinements, and inferences, was, that he, without any public neceſſity, and without any default of his own, muſt, of a ſudden, even from his acceſſion, become a magiſtrate of a very different nature from any of his predeceſſors, and muſt fall into a total dependance on ſubjects, over whom former Kings, eſpecially thoſe immediately preceding, had exerciſed an authority almoſt unlimited. Entangled in a chain of conſequences, which he could not eaſily break, he was inclined to go higher, and rather deny the firſt principle, than admit of concluſions, which to him appeared ſo abſurd and unreaſonable. Agreeable to the ideas hitherto entertained both by natives and foreigners, the monarch he eſteemed the eſſence and ſoul of the Engliſh government; and whatever other power pretended to annihilate or even abridge the royal authority, muſt neceſſarily, he thought, either in its nature or exerciſe, be deemed no better than an uſurpation. Willing to preſerve the antient harmony of the conſtitution, he had ever intended to comply, as far as he *eaſily* could, with the antient forms of adminiſtration: But when theſe forms appeared to him, by the inveterate obſtinacy of the commons, to have no other tendency than to diſturb that harmony, and to introduce a new conſtitution; he concluded, that, in this violent ſituation, what was ſubordinate muſt neceſſarily yield to what was principal, and the privileges of the people, for a time, give place to royal prerogative. From the rank of a monarch to be degraded into a ſlave of his inſolent ſubjects, ſeemed, of all indignities, the greateſt; and nothing, in his judgment, could exceed the humiliation attending ſuch a ſtate, but the meanneſs of tamely ſubmitting to it, without making ſome efforts to preſerve the authority tranſmitted to him by his predeceſſors.

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Tho' theſe were his reflections and reſolutions before the parliament aſſembled, he did not immediately break with them, upon their delay of voting him this ſupply. He thought, that he could better juſtify any ſtrong meaſure, which he might afterwards be obliged to take, if he allowed them to carry, to the utmoſt

Chap. II. 1629. moſt extremity, their attacks upon his government and prerogative *. He contented himſelf, for the preſent, with ſoliciting the houſe by meſſages and ſpeeches. But the commons, inſtead of hearkening to his ſolicitations, proceeded to carry their cenſorial ſcrutiny into his management of religion †, which was the only grievance, to which they had not, as yet, by their petition of right, applied a ſufficient remedy.

Arminianiſm. It was not poſſible, that this century, ſo fertile in religious ſects and diſputes, could eſcape the controverſy concerning fataliſm and free-will, which, being ſtrongly interwoven, both with philoſophy and theology, had, in all ages, thrown every ſchool and every church into ſuch inextricable doubt and perplexity. The firſt reformers in England, as in other European countries, had embraced the moſt rigid tenets of predeſtination and abſolute decrees, and had compoſed, upon that ſyſtem, all the articles of their religious creed. But theſe principles having met with oppoſition from Arminius and his ſectaries, the controverſy was ſoon brought into this iſland, and began here to diffuſe itſelf. The Arminians, finding more encouragement from the ſuperſtitious ſpirit of the church than from the fanaticiſm of the puritans, gradually incorporated themſelves with the former; and ſome of that ſect, by the indulgence of James and Charles, had attained the higheſt offices and preferments in the hierarchy. But their ſucceſs with the public had not been altogether anſwerable to that which they met with in the church and the court. Throughout the nation, they ſtill lay under the reproach of innovation and hereſy. The commons now levelled againſt them their formidable cenſures, and made them the objects of daily invective and declamation. Their protectors were ſtigmatized; their tenets canvaſſed; their views repreſented as dangerous and pernicious. To impartial ſpectators ſurely, if any ſuch had been, at that time, in England, it muſt have given great entertainment, to ſee a popular aſſembly, enflamed with faction and enthuſiaſm, pretend to handle queſtions, for which the greateſt philoſophers, in the tranquillity of retreat, had never hitherto been able to find any ſatisfactory ſolution.

Amidst that complication of diſputes, in which men were involved, we may obſerve, that the appellation, *puritan*, ſtood for three parties, which, tho' commonly united together, were yet actuated by very different views and motives. There were the political puritans, who maintained the higheſt principles of civil liberty; the puritans in diſcipline, who were averſe to the ceremonies and epiſcopal government of the church; and the doctrinal puritans, who rigidly defended the ſpeculative ſyſtem of the firſt reformers. In oppoſition to all theſe, ſtood, the court-party, the hierarchy, and the arminians; only with this diſtinction, that the latter ſect, being introduced a few years before, did not, as yet, comprehend

* Ruſhw. vol. i. p. 642. † Ruſhw. vol. i. p. 651. Whitlocke, p. 12.

all

all thoſe who were favourable to the church and to monarchy. But as the controverſies, on every ſubject, grew daily warmer, men united themſelves more intimately with their friends, and ſeparated themſelves wider from their antagoniſts; and the diſtinction gradually became quite uniform and regular. Chap. II. 1629.

This houſe of commons, which, like all the preceding ones, during the reigns of James and Charles, and even of Elizabeth, had been much governed by the puritanical party, thought, that they could not better ſerve their cauſe, than by ſtigmatizing and puniſhing the arminian ſect, which, introducing an innovation in the church, were the leaſt favoured and leaſt powerful of all their antagoniſts. From this meaſure, it was eaſily foreſeen, that, beſides gratifying the animoſity of the doctrinal puritans, both the puritans in diſcipline and thoſe in politics would reap conſiderable advantages. Laud, Neile, Montague, and other biſhops, who were the chief ſupporters of epiſcopal government, and the moſt zealous partizans of the diſcipline and ceremonies of the church, were all ſuppoſed to be tainted with arminianiſm. The ſame men and their diſciples were the ſtrenuous preachers of paſſive obedience and of entire ſubmiſſion to princes; and if theſe could once be cenſured, and be expelled the church and court, it was concluded, that the hierarchy would receive a mortal blow, the ceremonies be leſs rigidly inſiſted on, and the King, deprived of his moſt faithful friends, be obliged to abate thoſe high claims of prerogative, on which at preſent he inſiſted.

But Charles, beſides a view of the political conſequences, which muſt reſult from a compliance with ſuch pretenſions, was ſtrongly determined, from principles of piety and conſcience, to oppoſe them. Neither the diſſipation incident to youth, nor the pleaſures attending a high fortune, had been able to prevent this virtuous Prince from embracing the moſt ſincere ſentiments of religion; and that character, which, in that religious age, ought to have been of infinite advantage to him, proved, in the end, the chief cauſe of his ruin: Merely, becauſe the religion, adopted by him, was not of that preciſe mode and ſect, which began to prevail among his ſubjects. His piety, tho' remote from popery, had a tincture of ſuperſtition in it; and, being averſe to the gloomy ſpirit of the puritans, was repreſented by them as tending towards the abominations of antichriſt. Laud alſo had unfortunately acquired a great aſcendant over him: And as all thoſe prelates, ſtruck at by the commons, were regarded as his chief friends and moſt favoured courtiers; he was reſolved not to diſarm and diſhonour himſelf, by abandoning them to the reſentment of his enemies. Being totally unprovided of military force, and finding a refractory, independant ſpirit to prevail among the people; the moſt ſolid baſis of his authority, he thought, conſiſted in the ſupport, which he received from the hierarchy.

In the debates of the commons, which are tranſmitted to us, 'tis eaſy to diſcern ſo early ſome ſparks of that enthuſiaſtic fire, which afterwards ſet the whole

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nation in combuſtion. One Rouſe made uſe of an alluſion, which, tho' very familiar, ſeems to have been borrowed from the writings of Lord Bacon. "If a "man meet a dog alone," ſaid he, "the dog is fearful, tho' never ſo fierce by "nature: But if the dog have his maſter with him, he will ſet upon that man, "from whom he fled before. This ſhows, that lower natures, being backed by "higher, encreaſe in courage and ſtrength; and certainly man, being backed "with omnipotency, is a kind of omnipotent creature. All things are poſſible to "him that believes; and where all things are poſſible, there is a kind of omni-"potency. Wherefore, let it be the unanimous conſent and reſolution of us all "to make a vow and covenant from henceforth to hold faſt our God and our "religion; and then ſhall we henceforth expect with certainty happineſs in this "world *."

Oliver Cromwel, at that time, a young man, of no account in the nation, is mentioned in theſe debates, as complaining of one, who, he was told, preached flat popery †. 'Tis amuſing to obſerve the firſt words of this fanatical hypocrite correſpond ſo exactly to his character.

The enquiries and debates concerning tonnage and poundage went hand in hand with theſe theological or metaphyſical controverſies. The officers of the cuſtomhouſe were ſummoned before the commons to give an account by what authority they had ſeized the goods of merchants, who had refuſed to pay theſe duties: The barons of the exchequer were queſtioned concerning their decrees on that head ‡. The ſheriff of London was committed to the Tower for his activity in ſupporting the officers of the cuſtom-houſe: The goods of Rolles, a merchant, and member of the houſe, being ſeized for his refuſal to pay the duties, complaints were made of this violence, as if it were a breach of privilege ‖: Charles ſupported his officers in all theſe meaſures; and the quarrel grew every day higher between him and the commons §. Mention was made in the houſe of impeaching Sir Richard Weſton, Lord treaſurer ¶; and the King began to entertain thoughts of finiſhing the ſeſſion by a diſſolution.

Sir John Elliot framed a remonſtrance againſt levying tonnage and poundage without conſent of parliament, and offered it to the clerk to read. It was refuſed. He read it himſelf. The queſtion being then called for, the ſpeaker, Sir John Finch, ſaid, *That he had a command from the King to adjourn, and to put*

* Ruſhw. vol. i. p. 646. Parl. Hiſt. vol. viii. p. 260.
† Ruſhw. vol. i. p. 655. Parl. Hiſt. vol. viii. p. 289.
‡ Ruſhw. vol. i. p. 654. Parl. Hiſt. vol. viii. p. 301. ‖ Ruſhw. i. p. 653.
§ Ruſhw. vol. i. p. 658. ¶ Parl. Hiſt. vol. viii. p. 326.

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no queſtion *. Upon which he roſe and left the chair. The whole houſe was in an uproar. The ſpeaker was puſhed back into the chair, and forcibly held in it by Hollis and Valentine, till a ſhort remonſtrance was framed, and was paſſed by acclamation rather than by vote. Papiſts and arminians were there declared capital enemies to the commonwealth. Thoſe, who levied tonnage and poundage, were branded with the ſame epithet. And even the merchants, who ſhould voluntarily pay theſe duties, were denominated betrayers of Engliſh liberty, and public enemies. The doors being locked, the gentleman uſher of the houſe of lords, who was ſent by the King, could get no admittance, till this remonſtrance was finiſhed. By the King's order, he took the mace from the table, which ended their proceedings †. And a few days after the parliament was diſſolved.

Diſſolution of the parliament. March 10.

THE diſcontents of the nation ran extremely high, on account of this violent rupture between the King and parliament. Theſe diſcontents Charles inflamed by his affectation of a ſeverity, which he had not power, nor, probably, inclination, to carry to extremity. Sir Miles Hobart, Sir Peter Heyman, Selden, Coriton, Long, Strode, were committed to priſon, on account of the laſt tumult in the houſe, which was called ſedition ‡. With great difficulty, and after ſeveral delays, they were releaſed; and the law was generally ſuppoſed to be wreſted, in order to prolong their impriſonment. Sir John Elliot, Hollis, and Valentine, were ſummoned to their trial in the king's bench, for ſeditious ſpeeches and behaviour in parliament; but refuſing to anſwer before an inferior court for their conduct, as members of a ſuperior, they were condemned to be impriſoned during the King's pleaſure, to find ſureties for their good behaviour, and to be fined, the two former a thouſand pounds a-piece, the latter five hundred ‖. This ſentence, procured by the influence of the crown, ſerved only to ſhow the King's diſregard to the privileges of parliament, and to acquire an immenſe ſtock of popularity to the ſufferers, who had ſo bravely, in oppoſition to arbitrary power, defended the liberties of their native country. The commons of England, tho' an immenſe body, and poſſeſſed of the greateſt part of the national property, were naturally ſomewhat defenceleſs; becauſe of their perſonal equality and their want of leaders: But the King's ſeverity, if theſe illegal proſecutions deſerve the name, here pointed out leaders to them, whoſe reſentment was enflamed, and whoſe courage was nowiſe daunted, by the hardſhips which they had undergone in ſo honourable a cauſe.

* The King's power of adjourning as well as proroguing the parliament was ſcarce ever queſtioned. In the 19th of the late King, the judges determined, that the adjournment by the King kept the parliament *in ſtatu quo* until the next ſitting; but that then no committees were to meet: But if the adjournment be by the houſe, then the committees and other matters do continue. Parl. Hiſt. vol. v. p. 466.

† Ruſhw. vol. i. p. 660. Whitelocke, p. 12. ‡ Ruſhw. vol. i. p. 661. 681. Parl. Hiſt. vol. viii. p. 354. May. p. 13. ‖ Ruſhw. vol. i. p. 684. 691.

Chap. II. 1629. So much did theſe priſoners glory in their ſufferings, that, tho' they were promiſed liberty, on that condition, they would not condeſcend even to preſent a petition to the King, expreſſing their ſorrow for having offended him *. They unanimouſly refuſed to find ſureties for their good behaviour; and diſdained to accept of deliverance on ſuch eaſy terms. Nay, Hollis was ſo induſtrious to continue his meritorious diſtreſs, that when one offered to bail him, he would not yield to the rule of court, and be himſelf bound with his friend. Even Long, who had actually found ſureties in the chief juſtice's chamber, declared in court, that his ſureties ſhould no longer continue †. Yet becauſe Sir John Elliot happened to die, while in cuſtody, a great clamour was raiſed againſt the adminiſtration; and he was univerſally regarded as a martyr to the liberties of England ‡.

CHAP. III.

Peace with France.——Peace with Spain.——State of the court and miniſtry.——Character of the Queen.——Strafford.——Laud.——Innovations in the church.——Irregular levies of money.——Severities in the ſtar chamber and high commiſſion.——Ship-money.——Trial of Hambden.

1629. THERE now opens to us a new ſcene. Charles, naturally diſguſted with parliaments, was reſolved not to call any more, till he ſhould ſee greater indications of compliant diſpoſition in the nation. Having loſt his great favourite, Buckingham, he became his own miniſter; and never afterwards repoſed in any one ſuch unlimited confidence. As he chiefly follows his own genius and diſpoſition, his meaſures are henceforth leſs raſh and haſty; tho' the general tenor of his adminiſtration ſtill wants ſomewhat of being entirely legal, and more of being entirely prudent.

We ſhall endeavour to exhibit a juſt idea of the events, which followed for ſome years; ſo far as they regard foreign affairs, the ſtate of the court, and the government of the nation. The incidents are neither numerous nor illuſtrious;

* Whitlocke, p. 13. † Kennet, vol. iii. p. 49. ‡ Ruſhworth, vol. v. p. 440.

but

but the knowlege of them is neceſſary, for underſtanding the ſubſequent tranſactions, which are ſo memorable. Chap. III. 1629.

CHARLES, deſtitute of all ſupply, was obliged from neceſſity to embrace a meaſure, which ought to have been the reſult of reaſon and ſound policy: He made peace with the two crowns, againſt whom he had hitherto waged a war, which was entered upon without neceſſity, and was conducted without glory. Notwithſtanding the diſtracted and helpleſs condition of England, no attempt was made, either by France or Spain, to invade their enemy; nor did they entertain any farther project than to defend themſelves againſt the feeble and ill concerted expeditions of that kingdom. Pleaſed that the jealouſies and quarrels between King and parliament had diſarmed ſo formidable a power, they carefully avoided any enterprize, which might rouze either the terror or anger of the Engliſh, and diſpoſe them to domeſtic union and ſubmiſſion. The endeavours to regain the good will of the nation was carried ſo far by the King of Spain, that he generouſly releaſed and ſent home all the Engliſh priſoners, taken in the expedition againſt Cadiz. The example was imitated by France, after the retreat of the Engliſh from the iſle of Rhé. When princes were in ſuch diſpoſitions, and had ſo few pretenſions on each other, it could not be difficult to conclude a peace. The treaty was firſt ſigned with France *. The ſituation of the King's affairs did not entitle him to demand any conditions for the hugonots, and they were abandoned to the will of their ſovereign. Peace was afterwards concluded with Spain; where no conditions were made in favour of the Palatine, except that Spain promiſed in general to uſe her good offices for his reſtoration †. The influence of theſe two wars on domeſtic affairs, and on the diſpoſitions of King and people, was of the utmoſt conſequence: But no alteration was made by them on the foreign intereſts of the kingdom.

Peace with France and Spain. April 14. 1630. November 5.

NOTHING more happy can be imagined than the ſituation, in which England then ſtood with regard to foreign affairs. Europe was divided between the rival families of Bourbon and Auſtria, whoſe oppoſite intereſts, and ſtill more, their mutual jealouſies, ſecured the tranquillity of this iſland. Their forces were ſo nearly counterpoized, that no apprehenſions were entertained of any event, which could ſuddenly diſturb the balance of power between them. The Spaniſh monarch, deemed the moſt powerful, lay at greateſt diſtance; and the Engliſh, by that means, poſſeſſed the advantage of being engaged by political motives, into a more intimate union and confederacy with the neighbouring potentate. The diſperſt ſituation of the Spaniſh dominions rendered the naval power of England very formidable to them, and kept that empire in continual dependance. France, more vigorous and more compact, was, every day, riſing in policy and diſcipline;

* Ruſhw. vol. ii. p. 23, 24.

† Ruſhw. vol. ii. p. 75. Whitlocke, p. 14.

and

Chap. III. 1630.

and reached at laſt an equality of power with the houſe of Auſtria: But her progreſs, ſlow and gradual, left it ſtill in the power of England, by a timely interpoſal, to check her ſuperiority. And thus Charles, could he have avoided all diſſentions with his own ſubjects, was in a ſituation to make himſelf be courted and reſpected by every power in Europe; and, what has ſcarce ever ſince been attained by the princes of this iſland, he could either be active with dignity, or neutral with ſecurity.

A NEUTRALITY was embraced by the King; and during the reſt of his reign, he ſeems to have little regarded foreign affairs, except ſo far as he was engaged, by honour and by friendſhip for his ſiſter and the Palatine, to endeavour the procuring ſome relief for that unhappy family. He joined his good offices to thoſe of France, and mediated a peace between the Kings of Sweden and Poland, in hopes of engaging the former to embrace the protection of the oppreſſed proteſtants in the empire. This was the famed Guſtavus, whoſe heroic genius, ſeconded by the wiſeſt policy, made him, in a little time, the moſt diſtinguiſhed monarch of the age, and rendered his country, formerly unknown and neglected, of great weight in the balance of Europe. To encourage and aſſiſt him in his projected invaſion of Germany, Charles agreed to furniſh him with ſix thouſand men; but that he might preſerve the appearance of neutrality, he made uſe of the Marquis of Hamilton's name, a nobleman allied to the crown †. Hamilton entered into an engagement with Guſtavus; and inliſting theſe troops in England and Scotland at Charles's expence, he landed them in the Elbe. The deciſive battle of Leipſic was fought ſoon after; where the conduct of Tilly and the valour of the imperialiſts, were overcome by the ſuperior conduct of Guſtavus and the ſuperior valour of the Swedes. What remained of this hero's life was one continued ſeries of victory, for which he was leſs beholden to fortune, than to thoſe perſonal endowments, which he derived from nature and from induſtry. That rapid progreſs of conqueſt, which we ſo much admire in antient hiſtory, was here renewed in modern annals; and without that cauſe, to which, in former ages, it had ever been owing. Military nations were not now engaged againſt an undiſciplined and unwarlike people; nor heroes ſet in oppoſition to cowards. The veteran troops of Ferdinand, conducted by the moſt celebrated generals of the age, were foiled in every encounter, and all Germany was over-run in an inſtant, by the victorious Swede. But by this extraordinary and unexpected ſucceſs of his ally, Charles failed of the purpoſe, for which he framed the alliance. Guſtavus, elated by proſperity, began to form more extenſive plans of ambition; and in freeing Germany from the yoke of Ferdinand, he intended to reduce it to ſubjection under his own. He refuſed to reſtore the Palatine to his

† Ruſhw. vol. ii. p. 96, 53, 62, 83.

prin-

principality except on conditions, which would have kept him in total dependance †. And thus the negotiation was protracted; till the battle of Lutzen, where the Swediſh monarch periſhed in the midſt of a complete victory, which he obtained over his enemies. Chap. III. 1630.

We have carried on theſe tranſactions a few years beyond the preſent period, that we might not be obliged to return to them; nor be henceforth interrupted in our account of Charles's court and kingdoms.

When we conſider Charles, as preſiding in his court, as aſſociated with his family, it is difficult to imagine a character, at once more reſpectable and more amiable. A kind huſband, an indulgent father, a gentle maſter, a ſtedfaſt friend; to all theſe eulogies, his conduct in private life fully intitled him. As a monarch too, in the exterior qualities he excelled; in the eſſential, he was not defective. His addreſs and manner, tho' perhaps inclining a little towards ſtateline ſs and formality, in the main correſponded to his high rank, and gave grace to that reſerve and gravity, which were natural to him. The moderation and equity, which ſhone forth in his temper, *ſeemed* to ſecure him againſt raſh and dangerous enterprizes: The good ſenſe, which he diſplayed in his diſcourſe and converſation, *ſeemed* to warrant his ſucceſs in every reaſonable undertaking. Other endowments likewiſe he enjoyed, which, in a private gentleman, would have been highly ornamental, and which, in a great monarch, might have proved extremely uſeful to his people. He was poſſeſſed of an excellent taſte in all the fine arts; and the love of painting was, in ſome degree, his favourite paſſion. Learned beyond what is common in princes, he was a good judge of writing in others, and poſſeſſed, himſelf, no mean talent in compoſition. In any other age, or nation, this monarch had been ſecure of a proſperous and a happy reign. But the high idea of his own authority, with which he had been imbued, made him incapable of giving way to the ſpirit of liberty, which began to prevail among his ſubjects. His politics were not ſupported with ſuch vigour and foreſight as might enable him to ſubdue their privileges, and maintain his prerogative at the high pitch, to which it had been raiſed. And above all, the ſpirit of enthuſiaſm, being univerſally diffuſed over the nation, diſappointed all the views of human prudence, and diſturbed the operation of every motive, which uſually influence ſociety. State of the court and miniſtry.

But the misfortunes produced by theſe cauſes, were yet remote. Charles now enjoyed himſelf in the full exerciſe of his authority, in a ſocial intercourſe with his friends and courtiers, and in a moderate uſe of thoſe pleaſures, which he moſt affected.

After the death of Buckingham, who had ſomewhat alienated Charles from the Queen, ſhe is to be conſidered as his chief friend and favourite. That ruſtic Character of the Queen.

† Franklyn, p. 415.

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contempt of the fair ſex, which James affected, and which, baniſhing them from his court, made it reſemble more a fair or an exchange, than the ſeat of a great prince, was very wide of the diſpoſition of this monarch. But tho' full of complaiſance to the whole ſex, Charles reſerved all his paſſion for the Queen, to whom he attached himſelf with unſhaken fidelity and confidence. By her ſenſe and ſpirit, as well as by her beauty, ſhe juſtified the fondneſs of her huſband; tho' it is allowed, that, being ſomewhat of a paſſionate temper, ſhe precipitated him into haſty and imprudent councils. Her religion likewiſe, to which ſhe was much addicted, muſt be regarded as a great misfortune; ſince it augmented the jealouſy, which prevailed againſt the court, and engaged her to procure, for the catholics, ſome indulgences, which were generally diſtaſteful to the nation *.

In the former ſituation of the Engliſh government, when the ſovereign was, in a great meaſure, independent of his ſubjects, the king choſe his miniſters, either from perſonal favour, or from an opinion of their ability; without any regard to their parliamentary intereſt or talents. It has ſince been the maxim of princes, wherever popular leaders encroach too much on royal authority, to confer offices on them; in expectation, that they will afterwards become more careful not to diminiſh that power, which has become their own. Theſe politics were now embraced by Charles; a ſure proof, that a ſecret revolution had happened in the conſtitution, and had neceſſitated the prince to adopt new maxims of government †. But the views of the King were, at this time, ſo repugnant to thoſe of the puritans, that the leaders, whom he gained, loſt, from that moment, all intereſt with their party, and were even purſued as traitors, with implacable hatred and reſentment. This was the caſe with Sir Thomas Wentworth, whom the King created, firſt a baron, then a viſcount, and afterwards Earl of Strafford; made him preſident of the council of York, and Lord deputy of Ireland; and regarded him as his chief miniſter and counſellor. By his eminent talents and abilities, Strafford merited all the confidence, which the King repoſed in him: His character was ſtately and auſtere; more fitted to procure eſteem than love: His fidelity to his maſter was unſhaken; but as he now employed all his councils to ſupport the prerogative, which he had formerly bent all his endeavours to diminiſh, his virtue ſeems not to have been entirely pure, but to have been ſuſceptible of ſtrong impreſſions from private intereſt and ambition. Sir Dudley Digges was, about the ſame time, created maſter of the rolls: Noy, attorney-general: Littleton, ſollicitor-general. All theſe had been likewiſe parliamentary leaders; and were men very eminent in their profeſſion ‡.

Strafford.

Laud.

In all eccleſiaſtical affairs, and even in many civil, Laud, biſhop of London, had great influence on the King. This man was virtuous; if ſeverity of manners

* May, p. 21. † Sir Edward Walker, p. 328. ‡ Whitlocke, p. 13. May, p. 20.

alone and abſtinence from pleaſure could deſerve that name. He was learned, if polemical knowledge could intitle him to that praiſe. He was diſintereſted; but with unceaſing induſtry he ſtudied to exalt the prieſtly and prelatical character, which was his own. His zeal was unrelenting in the cauſe of religion; that is, in impoſing, by the moſt rigorous meaſures, his own tenets and pious ceremonies on the obſtinate puritans, who had profanely dared to oppoſe him. In proſecution of his holy purpoſes, he overlooked every human conſideration; or, in other words, the heat and indiſcretion of his temper made him neglect the views of prudence and rules of good manners. He was, in this reſpect, happy, that all his enemies were alſo imagined by him the declared enemies to loyalty and true piety, and that every exerciſe of his revenge, by that means, became in his eyes, a merit and a virtue. This was the man, who acquired ſo great an aſcendant over Charles, and who led him, by the facility of his temper, into a conduct, which proved ſo fatal to himſelf and to his kingdoms. Chap. III. 1630.

THE humour of the nation ran, at that time, into the extreme oppoſite to ſuperſtition; and it was with difficulty, that the antient ceremonies, to which men had been accuſtomed, and which had been ſanctified by the practice of the firſt reformers, could be retained in divine ſervice: Yet was this the time, which Laud choſe for the introduction of new ceremonies and obſervances. Beſides that theſe were ſure to diſpleaſe as innovations, there lay, in the opinion of the public, another very forcible objection againſt them. Laud and the other prelates, who embraced his meaſures, were generally well inſtructed in ſacred antiquity, and had adopted all thoſe religious ſentiments, which prevailed during the fourth and fifth centuries; when the chriſtian church, as is well known, was already ſunk into thoſe ſuperſtitions, which were afterwards continued and augmented by the policy of Rome. The revival, therefore, of the ideas and practices of that age could not fail of giving the Engliſh faith and liturgy ſome reſemblance to the catholic ſuperſtition, which the kingdom in general, and the puritans in particular, held in the greateſt horror and deteſtation. Men alſo were apt to think, that, without ſome ſecret purpoſe, ſuch inſignificant obſervances would not be impoſed with ſuch unrelenting zeal on the refractory ſpirit of the nation; and that Laud's ſcheme was to lead back the Engliſh, by gradual ſteps, to the religion of their anceſtors. They conſidered not, that the very inſignificancy of theſe ceremonies, recommended them to the ſuperſtitious prelate, and made them appear the more peculiarly ſacred and religious, that they could ſerve no other purpoſe. Nor was the reſemblance to the Romiſh ritual any objection, but rather a merit, with Laud and his brethren; who bore a much greater kindneſs to the mother-church, as they called her, than to the ſectaries and preſbyterians, and frequently recommended her as a true chriſtian church; an appellation, which they refuſed, or at Innovations in the church.

Chap. III. 1630.

leaſt ſcrupled, to the others *. So openly were theſe tenets eſpouſed, that not only the diſcontented puritans believed the church of England to be relapſing faſt into Romiſh ſuperſtition: The court of Rome itſelf entertained hopes of regaining its authority in this iſland; and, in order to forward Laud's good intentions, an offer was twice made him, in private, of a cardinal's hat, which he declined accepting †. His anſwer was, as he ſays himſelf, *That ſomething dwelt within him, which would not ſuffer his compliance, till Rome was other than it is* ‡.

A COURT lady, daughter of the Earl of Devonſhire, having turned catholic, was aſked by Laud the reaſons of her converſion. *'Tis chiefly*, ſaid ſhe, *becauſe I hate to travel in a crowd.* The meaning of this expreſſion being demanded, ſhe replied, *I perceive your Grace and many others are making haſte to Rome; and therefore, in order to prevent my being crowded, I have gone before you.* It muſt be confeſſed, that, tho' Laud deſerved not the appellation of papiſt, the genius of his religion was, tho' in a leſs degree, yet the ſame with that of the Romiſh: The ſame profound reſpect was exacted to the ſacerdotal character, the ſame ſubmiſſion required to the creeds and decrees of ſynods and councils, the ſame pomp and ceremony was affected in worſhip, and the ſame ſuperſtitious regard to days, poſtures, meats, and veſtments. No wonder, therefore, that this prelate was, every where, among the puritans, regarded with horror, as the forerunner of antichriſt.

As a ſpecimen of the new ceremonies, to which Laud ſacrificed his own quiet and that of the nation, it may not be amiſs to relate thoſe, which he was accuſed of employing in the conſecration of St. Catherine's Church, and which were the object of ſuch general ſcandal and offence.

ON the biſhop's approach to the weſt door of the church, a loud voice cried, *Open, open, ye everlaſting doors, that the king of glory may enter in!* Immediately the doors of the Church flew open, and the biſhop entered. Falling upon his knees, with eyes elevated and arms expanded, he uttered theſe words: *This place is holy; the ground is holy: In the name of the Father, Son, and Holy Ghoſt, I pronounce it holy.*

GOING towards the chancel, he, ſeveral times, took up from the floor ſome of the duſt, and threw it in the air. When he approached, with his attendants, near to the communion table, he bowed frequently towards it: And on their return, they went round the church, repeating as they marched along, ſome of the pſalms: And then ſaid a form of prayer, which concluded with theſe words; *We conſecrate this church, and ſeparate it unto thee as holy ground, not to be profaned any more to common uſes.*

AFTER this, the biſhop, ſtanding near the communion-table, ſolemnly pronounced many imprecations upon ſuch as ſhould afterwards pollute that holy

* May, p. 25. † Ruſhw. vol. ii. p. 190. Welwood, p. 61. ‡ Ruſhw. vol. iii. p. 1327. Whitlocke, p. 97.

place by muſters of ſoldiers, or keeping in it profane law-courts, or carrying burthens thro' it. On the concluſion of every curſe, he bowed towards the eaſt, and cried, *Let all the people ſay, amen.* Chap. III. 1630.

THE imprecations being all ſo piouſly finiſhed, there were poured out a number of bleſſings upon ſuch as had any hand in framing and building that ſacred and beautiful edifice, and on ſuch as had given, or ſhould hereafter give to it, any chalices, plate, ornaments, or utenſils. At every benediction, he, in like manner, bowed towards the eaſt, and cried, *Let all the people ſay, amen.*

THE ſermon ſucceeded; after which, the biſhop conſecrated and adminiſtred the ſacrament in the following manner:

As he approached the communion-table, he made many lowly reverences: And coming up to that part of the table, where the bread and wine lay, he bowed ſeven times. After the reading of many prayers, he approached the ſacramental elements, and gently lifted up the corner of the napkin, in which the bread was laid. When he beheld the bread, he ſuddenly let fall the napkin, flew back a ſtep or two, bowed three ſeveral times towards the bread; then he drew near again, and opened the napkin, and bowed as before.

NEXT, he laid his hand on the cup, which had a cover upon it, and was full of wine. He let go the cup, fell back, and bowed thrice towards it. He approached again; and lifting up the cover, peeped into the cup. Seeing the wine, he let fall the cover, ſtarted back, and bowed as before. Then he received the ſacrament, and gave it to others. And many prayers being ſaid, the ſolemnity of the conſecration ended. The walls and floor and roof of the fabric were then ſuppoſed to be ſufficiently holy *.

ORDERS were given, and rigorouſly inſiſted on, that the communion-table ſhould be removed from the middle of the area, where it hitherto ſtood in all churches, except in cathedrals †. It was placed in the eaſt end, railed in, and denominated an ALTAR; as the clergyman, who officiated, received commonly the appellation of PRIEST. 'Tis not eaſy to imagine the diſcontents, excited by this innovation, and the ſuſpicions, which it gave riſe to.

THE kneeling at the altar, and the uſing of copes, a ſpecies of embroidered veſtment, in adminiſtring the ſacrament, were alſo known to be great objects of ſcandal, as being popiſh practices: But the oppoſition rather increaſed, than abated the zeal of the prelate, for the introduction of theſe habits and ceremonies.

ALL kinds of ornament, eſpecially pictures, were neceſſary for ſupporting that mechanical devotion, which was propoſed to be raiſed in this model of religion:

* Ruſhw. vol. ii. p. 76, 77. Welwood, p. 275. Franklyn, p. 386. Whitlocke, p. 24.

† Ruſhw. vol. ii. p. 207.

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But as theſe had been ſo much employed by the church of Rome, and had given riſe to ſo much ſuperſtition, or what the puritans called idolatry; it was impoſſible to introduce them into Engliſh churches, without exciting the moſt general murmurs and complaints. But Laud, poſſeſſed of preſent authority, perſiſted in his purpoſe, and made ſeveral attempts towards acquiring theſe ornaments. Some of the pictures, introduced by him, were alſo found, upon inquiry, to be the very ſame, which might be met with in the maſs-book. The crucifix too, that eternal conſolation of all pious catholics, and terror to all ſound proteſtants, was not forgot on this occaſion *.

It was much remarked, that Sherfield, the recorder of Saliſbury, was tried in the ſtar-chamber, for having broke, contrary to the biſhop of Saliſbury's expreſs injunctions, a painted window of St. Edmond's church in that city. He boaſted, that he had deſtroyed theſe monuments of idolatry: But for this effort of his zeal, he was fined 500 pounds, removed from his office, condemned to make a public acknowlegement, and be bound to his good behaviour †.

Not only ſuch of the clergy, as neglected to obſerve every ceremony, were ſuſpended and deprived by the high commiſſion-court: Oaths were, by many of the biſhops, impoſed on the church-wardens; and they were ſworn to inform againſt any one, who acted contrary to the eccleſiaſtical canons ‡. Such a meaſure, tho' practiſed during the reign of Elizabeth, gave much offence; as reſembling too nearly the practice of the Romiſh inquiſition.

To ſhow the greater alienation from the churches, reformed after the preſbyterian model, Laud adviſed, that the diſcipline and worſhip of the church ſhould be impoſed on the Engliſh regiments, and trading companies abroad §. All foreigners of the Dutch and Walloon congregations were commanded to attend the eſtabliſhed church; and indulgence was granted to none after the children of the firſt denizens ‖. Scudamore too, the King's ambaſſador at Paris, had orders to withdraw himſelf from the communion of the hugonots. Even men of ſenſe were apt to blame this conduct, not only becauſe it gave offence in England, but becauſe, in foreign countries, it loſt the crown the advantage of being conſidered as the head and ſupport of the reformation.

On pretence of pacifying diſputes, orders were iſſued from the council, forbidding, on both ſides, all preaching and printing with regard to the controverted points of predeſtination and free-will. But it was complained of, and probably with reaſon, that the impartiality was altogether confined to the orders, and that the execution of them was only meant againſt the calviniſts.

* Ruſhw. vol. ii. p. 272, 273. Franklyn, p. 410, 411, 412.
† Ruſhw. vol. ii. p. 152. State Trials, vol. v. p. 46.
‡ Ruſhw. vol. ii. p. 186. Franklyn, p. 451.
§ Ruſhw. vol. ii. p. 249.
‖ Ruſhw. vol. ii. p. 272.

In return for Charles's indulgence towards the church, Laud and his followers took care to magnify, on every occaſion, the regal authority, and to treat, with the utmoſt diſdain or deteſtation, all puritanical pretenſions to a free and independent conſtitution. But while theſe prelates were ſo liberal in raiſing the crown at the expence of public liberty, they made no ſcruple of incroaching, themſelves, on the royal rights the moſt inconteſtable; in order to exalt the hierarchy, and procure to their own order dominion and independance. All the doctrines, which the Romiſh church had borrowed from ſome of the fathers, and which freed the ſpiritual from ſubordination to the civil power, were now adopted by the church of England, and interwoven with her political and religious tenets. A divine and apoſtolical charter was inſiſted on, preferably to a legal and parliamentary one *. The ſacerdotal character was magnified as ſacred and indefeizable: All right to ſpiritual authority, or even to private judgment in ſpiritual ſubjects, was refuſed to profane laymen: Eccleſiaſtical courts were held by the biſhops in their own name, without any notice taken of the King's authority: And Charles, tho' extremely jealous of every claim in popular aſſemblies, ſeemed rather to encourage, than repreſs, thoſe encroachments of his clergy. Having felt ſome ſenſible inconveniences from the independent ſpirit of parliaments, he attached himſelf intirely to thoſe, who profeſſed a devoted obedience to his crown and perſon; nor did he foreſee, that the eccleſiaſtical power, which he exalted, not admitting of any preciſe boundary, might in time become more dangerous to public peace, and no leſs fatal to royal prerogative, than the other. Chap. III. 1630.

So early as the coronation, Laud was the perſon, according to general opinion, who introduced a novelty, which, tho' overlooked by Charles, made a deep impreſſion on many of the bye-ſtanders. After the uſual ceremonies, theſe words were recited to the King: "Stand and hold faſt, from henceforth, the "place, to which you have been heir by the ſucceſſion of your forefathers, be"ing now delivered to you by the authority of Almighty God, and by the "hands of us and all the biſhops and ſervants of God. And, as you ſee the "clergy to come nearer the altar than others, ſo remember, that, in all places "convenient, you give them greater honour; that the Mediator of God and man "may eſtabliſh you on the kingly throne, to be a mediator betwixt the clergy "and the laity; and that you may reign for ever with Jeſus Chriſt, the King of "kings, and Lord of lords †."

The principles, which exalted prerogative, were not entertained by the King, merely as ſoft and agreeable to his royal ears: They were alſo put in practice during all the time, that he ruled without parliaments. Tho' frugal and regular in his expences, he wanted money for the ſupport of government; and he le-

* Whitlocke, p. 22. † Franklyn, p. 114. Ruſhw. vol. i. p. 201.

vied

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vied it, either by the revival of obſolete laws, or by violations, ſome more open, ſome more diſguiſed, of the privileges of the nation. Tho' humane and gentle in his temper, he gave way to ſeverities in the ſtar-chamber and high commiſſion, which ſeemed neceſſary, in order to ſupport the preſent model of adminiſtration, and repreſs the riſing ſpirit of liberty throughout the kingdom. Under theſe two heads, may be reduced all the remarkable tranſactions of this reign, during ſome years: For, in peaceable and proſperous times, where a neutrality in foreign affairs is obſerved, ſcarce any thing is remarkable, but what is, in ſome degree, blamed or blameable. And, leſt the hopes of relief or protection from parliament might encourage oppoſition, Charles iſſued a proclamation, in which he declared, "That, whereas, for ſeveral ill ends, the calling again of a parliament "is divulged; tho' his Majeſty has ſhown, by frequent meeting with his people, "his love to the uſe of parliaments: Yet the late abuſe having, for the preſent, "driven him unwillingly out of that courſe; he will account it preſumption for "any one to preſcribe to him any time for the calling that aſſembly *." This was generally conſtrued as a declaration, that, during this reign, no more parliaments were intended to be ſummoned †. And every meaſure of the King confirmed a ſuſpicion, ſo diſagreeable to the generality of the people.

Irregular levies of money.

TONNAGE and poundage were continued to be levied by the royal authority alone. The former arbitrary impoſitions were ſtill exacted. Even new impoſitions were laid on ſeveral kinds of merchandize ‡.

THE cuſtom-houſe officers received orders from the council to enter into any houſe, warehouſe, or cellar; to ſearch any trunk or cheſt; and to break any bulk whatever; in default of the payment of cuſtoms §.

IN order to exerciſe the militia, and keep them in good order, each county, by an edict of the council, was aſſeſſed in a certain ſum, for the entertainment of a muſter-maſter, appointed for that ſervice ‖.

COMPOSITIONS were openly made with recuſants, and the popiſh religion became a regular part of the revenue. This was all the perſecution, which it underwent during the reign of Charles **.

A COMMISSION was granted for compounding with ſuch as were poſſeſſed of crown-lands upon defective titles; and on this pretence ſome money was exacted from the people ††.

THERE was a law of Edward II. ‡‡, That whoever was poſſeſſed of twenty pounds a-year in land, ſhould be obliged, when ſummoned, to appear and to receive the order of knighthood. Twenty pounds at that time, partly by the

* Parl. Hiſt. vol. viii. p. 389. Ruſhw. vol. ii. p. 3. † Clarendon, vol. i p. 4. May, p. 14.
‡ Ruſhw. vol. ii. p. 8. May, p. 16. § Ruſhw. vol. ii. p. 9. ‖ Ruſhw. vol. ii. p. 10.
** Ruſhw. vol. ii. p. 11, 12, 13, 247. †† Ruſhw. vol. ii. p. 49. ‡‡ *Statutum de militibus.*

change

change of denomination, partly by that in the value of money, were equivalent to 200 in the ſixteenth and ſeventeenth century; and it ſeemed juſt, that the King ſhould not inſiſt ſtrictly on the letter of the law, and oblige people of ſo ſmall revenue to accept of that expenſive honour. Edward VI. *, and Queen Elizabeth †, who had both of them made uſe of this expedient for raiſing money, had ſummoned only thoſe poſſeſſed of forty pounds a-year and upwards to receive knighthood, or compound for their neglect; and Charles imitated their example, in granting the ſame indulgence. Commiſſioners were appointed for fixing the rates of compoſition: and inſtructions were given to theſe commiſſioners, not to accept of a leſs ſum than would have been due by the perſon, upon a tax of three ſubſidies and a half ‡. Nothing proves more plainly, how ill diſpoſed the people were to the meaſures of the crown, than to obſerve that they loudly complained of an expedient founded on poſitive ſtatute, and warranted by ſuch recent precedents. The law was pretended to be obſolete; tho' only one reign had intervened ſince the laſt execution of it. Chap. III. 1630.

BARNARD, lecturer of St. Sepulchres, London, had this expreſſion in his prayer before ſermon; *Lord, open the eyes of the Queen's Majeſty, that ſhe may ſee Jeſus Chriſt, whom ſhe has pierced with her infidelity, ſuperſtition, and idolatry.* He was queſtioned in the high commiſſion court for this inſult on the Queen; but, upon his ſubmiſſion, diſmiſſed §. Leighton, who had wrote libels againſt the King, the Queen, the biſhops, and the whole adminiſtration, was condemned by a very ſevere, if not a cruel, ſentence; but the execution of it was ſuſpended for ſome time, in expectation of his ſubmiſſion ‖. All the ſeverities, indeed, of this reign, were exerciſed againſt thoſe, who triumphed in their ſufferings, who courted perſecution, and braved authority: And, on that account, their puniſhment may be deemed the more juſt, but the leſs prudent. To have neglected them intirely, had it been conſiſtent with order and public ſafety, had been the wiſeſt meaſure, which could have been embraced; as perhaps, it had been the moſt ſevere puniſhment, which could have been inflicted on theſe zealots. Severities of the ſtar-chamber and high commiſſion.

IN order to gratify the clergy with a magnificent fabric, ſubſcriptions were ſet on foot, for the repairing and rebuilding St. Paul's; and the King, by his countenance and example, encouraged this laudable undertaking **. By order of the privy council, St. Gregory's church was removed, as an impediment to the project of extending and beautifying the cathedral. Some houſes and ſhops likewiſe were pulled down; and compenſation was made to the proprietors ††. As there was no immediate proſpect of aſſembling a parliament, ſuch acts of power in the 1631.

* Rymer, tom. xv. p. 124. † Id. 493, 504. ‡ Ruſhw. vol. ii. p. 70, 71, 72.
May, p. 16. § Ruſhw. vol. ii. p. 32. ‖ Kennet's complete hiſtory, vol. iii. p. 60.
Whitlocke, p. 15. ** Whitlocke, p. 17. †† Ruſhw. vol. ii. p. 88, 89, 90, 207, 462, 718.

King

Chap. III. 1631. King became neceſſary; and in no former age would the people have entertained any ſcruple with regard to them. It muſt be remarked, that the puritans were extremely averſe to the raiſing this ornament to the capital. It ſavoured, as they pretended, of popiſh ſuperſtition.

An office was erected for the ſealing of cards: A new tax, which, of itſelf, was liable to no objection; but was of the moſt dangerous conſequence, when conſidered as arbitrary and illegal *.

Monopolies were revived; an oppreſſive method of levying taxes, being unlimited as well as deſtructive of induſtry. The laſt parliament of James, which aboliſhed monopolies, had left a very equitable exception in favour of new inventions; and on pretence of theſe, and of erecting new companies and corporations, was this grievance now renewed. The manufacture of ſoap was given to a company, who paid a ſum for their patent †. Leather, ſalt, and many other commodities, even down to linen rags, were likewiſe put under reſtrictions.

'Tis affirmed by Clarendon, that ſo little benefit was reaped from theſe projects, that of 200,000 pounds levied from the people, ſcarce, 1500 came into the King's coffers. Tho' we ought not to ſuſpect the noble hiſtorian of exaggerations to the diſadvantage of Charles's meaſures; this fact, it muſt be owned, appears incredible. The ſame author adds, that the King's intention was to teach his ſubjects how unthrifty a thing it was to refuſe reaſonable ſupplies to the crown. An imprudent project! to offend a whole nation, under the view of puniſhment; and to hope, by acts of violence, to break their refractory ſpirits, without being poſſeſſed of any forces to prevent reſiſtance.

1632. The council of York had been firſt erected, after a rebellion, by a patent from Henry VIII. without any authority of parliament; and this exerciſe of power, like many others, was indulged to that arbitrary monarch. The council had long acted chiefly as a criminal court; but, beſides ſome innovations, introduced by James, Charles thought proper, ſometime after Wentworth was made preſident, to extend its powers, and to give it a large civil juriſdiction, and that, in ſome reſpects diſcretionary ‡. 'Tis not improbable, that the King's intention was only to prevent inconveniencies, which aroſe from the bringing every cauſe, from the moſt diſtant parts of the kingdom, into Weſtminſter-hall: But the conſequence, in the mean time, of this meaſure, was the putting all the northern counties out of the protection of ordinary law, and the ſubjecting them to an authority ſomewhat arbitrary. Some irregular acts of that council were, this year, complained of §.

* Ruſhw. vol. ii. p. 103. † Ruſhw. vol. ii. p. 136, 142, 189, 252. ‡ Ruſhw. vol. ii. p. 158, 159, &c. Franklyn, p. 412. § Ruſhw. vol. ii. p. 202, 203.

The

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THE court of ſtar-chamber extended very far its authority; and it was matter of complaint, that it encroached upon the juriſdiction of the other courts; impoſing heavy fines and inflicting ſevere puniſhment, beyond the uſual courſe of juſtice. Sir David Foulis was fined 5000 pounds, chiefly becauſe he had diſſuaded a friend from compounding with the commiſſioners of knighthood *.

PRYNNE, a barriſter of Lincoln's-Inn, had wrote an enormous quarto of a thouſand pages, which he called *Hiſtrio-Maſtyx*. Its profeſſed purpoſe was to decry ſtage-plays, comedies, interludes, muſic, dancing; but the author likewiſe took occaſion to declaim againſt hunting, public feſtivals, Chriſtmas-keeping, bonefires, and May-poles. His zeal againſt all theſe levities, he ſays, was firſt moved, by obſerving that plays ſold better than the choiceſt ſermons, and that they were frequently printed on finer paper than the Bible itſelf. Beſides, that the players were often papiſts, and deſperately wicked; the play-houſes, he affirms, are Satan's chapels, the play-haunters little better than incarnate devils, and ſo many ſteps in a dance, ſo many paces to hell. The chief crime of Nero he repreſents to have been, his frequenting and acting of plays; and thoſe, who nobly conſpired his death, were principally moved to it, as he affirms, by their indignation at that enormity. The reſt of his thouſand pages were of a like ſtrain. He had obtained a licence from Archbiſhop Abbot's chaplain; yet was he indicted in the ſtar-chamber as a libeller. It was thought ſomewhat hard, that general invectives againſt plays ſhould be interpreted into ſatyres againſt the King and Queen, merely becauſe they frequented theſe amuſements, and becauſe the Queen ſometimes acted a part in paſtorals and interludes, which were repreſented at court. The author, it muſt be owned, had, in plainer terms, blamed the hierarchy, the ceremonies, the innovations in religious worſhip, and the new ſuperſtitions, introduced by Laud †; and this probably, together with the obſtinacy and petulance of his behaviour before the ſtar-chamber, was the reaſon why his ſentence was ſo ſevere. He was condemned to be put from the bar; to ſtand on the pillory in two places, Weſtminſter and Cheapſide; to loſe both his ears, one in each place; to pay 5000 pounds fine to the King; and to be impriſoned during life ‡.

THIS ſame Prynne was a great hero among the puritans; and it was chiefly with a view to mortify that ſect, that, tho' of an honourable profeſſion, he was condemn-

* Ruſhw. vol. i. p. 215, 216, 217, &c.

† The muſic in the churches, he affirmed not to be the noiſe of men, but a bleating of brute beaſts; choriſters bellow the tenor, as it were oxen; bark a counter-point, as it were a kennel of dogs; roar out a treble, as it were a ſort of bulls; and grunt out a baſe, as it were a number of hogs. Chriſtmas, as it is kept, is the Devil's Chriſtmas: and he employed a great number of pages to perſuade men to affect the name of *Puritan*, as if Chriſt were a Puritan; and ſo he ſaith in his Index. Ruſhw. vol. ii. p. 223.

‡ Ruſhw. vol. ii. p. 220, 221, &c.

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ed by the ſtar-chamber to ſo ignominious a puniſhment. The thorough-paced puritans were diſtinguiſhable by the ſourneſs and auſterity of their manners, and by their averſion to all pleaſure and ſociety ‖. To inſpire them with better humour was certainly, both for their own ſake and that of the public, a very laudable intention in the court; but whether pillories, fines, and priſons, were proper expedients for that purpoſe, may admit of ſome queſtion.

ANOTHER expedient, which the King tried, in order to infuſe chearfulneſs into the national devotion, was not much more ſucceſsful. He renewed his father's edict for allowing ſports and recreations on Sunday to ſuch as attended public worſhip; and he ordered his proclamation for that purpoſe to be publicly read by the clergy after divine ſervice *. Thoſe, who were puritanically affected, refuſed obedience, and were puniſhed by ſuſpenſion or deprivation. The differences between the ſects were before ſufficiently great; nor was it neceſſary to widen them farther by theſe inventions.

SOME encouragement and protection, which the King and the biſhops gave to wakes, church-ales, bride-ales, and other chearful feſtivals of the common people, were the objects of like ſcandal to the puritans †.

12th June.

THIS year, Charles made a journey into Scotland, attended by his court, in order to hold a parliament there, and to paſs thro' the ceremony of his coronation. The nobility and gentry of both kingdoms rivaled each other, in expreſſing all duty and reſpect to the King, and in ſhowing mutual friendſhip and regard to each other. No one could have ſuſpected, from exterior appearances, that ſuch dreadful ſcenes were approaching.

ONE chief article of buſineſs (for it deſerves the name) which the King tranſacted in this parliament, was, beſides the obtaining ſome ſupply, to procure authority for ordering the habits of clergymen ‡. The act paſſed not without oppoſition and difficulty. The dreadful ſurplice was before mens eyes; and they apprehended, with ſome reaſon, that, under ſanction of this law, it would ſoon be introduced among them. Tho' the King believed, that his prerogative intitled him to a general power of directing whatever belonged to the exterior government of the church; this was eſteemed a matter of too great importance to be ordered without the ſanction of a particular ſtatute.

IMMEDIATELY after the King's return to England, he heard of Archbiſhop Abbot's death: And, without delay, he conferred that dignity on his favourite, Laud; who, by this acceſſion of authority, was now enabled to maintain eccleſiaſtical diſcipline with greater rigour, and to aggravate the general diſcontent of the nation.

‖ Dugdale, p. 2. * Ruſhw. vol. ii. p. 193. 459. Whitlocke, p. 16, 17. Franklyn, p. 437. † Ruſhw. vol. ii. p. 191, 192. May, p. 24. ‡ Ruſhw. vol. ii. p. 183.

LAUD

LAUD obtained the biſhopric of London for his friend, Juxon; and, about a year after Portland's death, had intereſt enough to engage the King to make that prelate Lord high treaſurer. Juxon was a perſon of great integrity, mildneſs, and humanity, and endued with a good underſtanding *. Yet did this laſt promotion give general diſcontent. His birth and character were too obſcure for a man raiſed to one of the higheſt offices of the crown. And the clergy, it was thought, were already too much elated by former inſtances of the King's attachment to them, and needed not this farther encouragement to aſſume dominion over the laity †. The puritans, likewiſe, were much diſſatisfied with Juxon, notwithſtanding all his eminent virtues; becauſe he was a lover of profane field ſports and hunting. Char. III. 1633.

SHIP-MONEY was now introduced. The firſt writs of this kind had been only directed to ſeaport-towns: But ſhip-money was at this time levied on the whole kingdom; and each county was rated at a particular ſum, which was afterwards aſſeſſed upon individuals ‡. The amount of the whole tax was very moderate, little exceeding 200,000 pounds; it was levied upon the people with juſtice and equality; and this money was intirely expended upon the navy, to the great honour and advantage of the kingdom: Yet all theſe circumſtances could not reconcile the people to the impoſition. It was intirely arbitrary: By the ſame right, any other tax might be impoſed: And men eſteemed a powerful fleet, tho' very deſireable, both for the credit and ſecurity of the kingdom, but an unequal recompence for their liberties, which were thus ſacrificed to the obtaining it. 1634. Ship-money.

ENGLAND, it muſt be owned, was, in this reſpect, unhappy in its preſent ſituation, that the King had entertained a very different idea of the conſtitution, from that which *began*, in general, to prevail among his ſubjects. He did not regard the privileges of the people as ſo ſacred and inviolable, that nothing but the moſt extreme neceſſity could juſtify an infringement of them. He conſidered himſelf as the ſupreme magiſtrate, to whoſe care heaven, by his birth-right, had committed his people, whoſe duty it was to provide for their ſecurity and happineſs, and who was veſted with very ample diſcretionary powers for that ſalutary purpoſe. If the obſervance of the antient laws and cuſtoms was conſiſtent with the preſent convenience of government, he thought himſelf obliged to comply with that rule; as the eaſieſt, the ſafeſt, and what procured the moſt prompt and willing obedience. But when a change of circumſtances, eſpecially if derived from the obſtinacy of the people, required a new plan of adminiſtration; national privileges, he thought, muſt yield to ſupreme power; nor could any order of the ſtate oppoſe any right to the will of the ſovereign, directed to the

* Whitlocke, p. 23. Clarendon, vol. i. p. 99. † Clarendon, vol. i. p. 97. May, p. 23.
‡ Ruſhw. vol. ii. p. 257, 258, &c.

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good of the public *. That theſe principles of government were derived from the uniform tenor of the Engliſh laws, it would be raſh to affirm. The fluctuating nature of the conſtitution, the impatient humour of the people, and the variety of events, had, no doubt, in different ages, produced many exceptions and contradictions. Theſe obſervations alone may be eſtabliſhed on both ſides, *that* the appearances were ſufficiently ſtrong in favour of the King to apologize for his following ſuch maxims, and *that* public liberty muſt be ſo precarious under this exorbitant prerogative, as to render an oppoſition, not only excuſable, but laudable, in the people.

SOME laws had been enacted, during the reign of Henry VII. againſt depopulation, or the converting arable lands into paſture. By a decree of the ſtar-chamber, Sir Anthony Roper was fined 4000 pounds for an offence of this nature †. This ſevere ſentence was intended to terrify others into compoſition; and above 30,000 pounds were levied by that expedient ‡. Like compoſitions, or in default of them, heavy fines, were required for encroachments on the King's forreſts; whoſe bounds, by decrees, eſteemed arbitrary, were extended much beyond what was uſual ‖. The bounds of one foreſt, that of Rockingham, were increaſed from ſix miles to ſixty §. The ſame humour, which made the people refuſe to the King voluntary ſupplies, diſpoſed them, with much better reaſon, to murmur againſt theſe irregular methods of taxation.

MORLEY was fined 10,000 pounds, for reviling, challenging, and ſtriking, in the court of Whitehall, Sir George Theobald, one of the King's ſervants ¶. This fine was thought exorbitant; but whether it was compounded, as was uſual in fines impoſed in the ſtar-chamber, we are not informed.

ALLISON had reported, that the Archbiſhop of York had incurred the King's diſpleaſure, by aſking a limited toleration to the catholics, and an allowance to build ſome churches for the exerciſe of their religion. For this ſlander againſt the Archbiſhop, he was condemned in the ſtar-chamber to be fined 1000 pounds, to be committed to priſon, to be bound to his good behaviour during life, to be whipped, and to be ſet on the pillory at Weſtminſter, and in three other towns in England. Robins, who had been an accomplice in the guilt, was condemned by a ſentence equally ſevere ⊥. Such events are rather to be conſidered as rare and detached inſtances, collected by the ſevere ſcrutiny of hiſtorians, than as proofs of the prevailing genius of the King's adminiſtration. And it is alſo certain, that

* Ruſhw. vol. iv. p. 535. 542. † Ruſhw. vol. ii. 270. Vol. iii. App. p. 106.
‡ Ruſhw. vol. iii. p. 333. Franklyn, p. 478. ‖ May, p. 16.
§ Strafford's Letters and Diſpatches, vol. ii. p. 117.
¶ Ruſhw. vol. ii. p. 270. ⊥ Id. p. 269.

ſcandal

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ſcandal againſt the great, tho' ſeldom proſecuted at preſent, is, however, in the eye of the law, a great crime, and ſubjects the offender to very heavy penalties.

THERE are other inſtances of the high reſpect paid to the nobility and to the great in that age; when the powers of monarchy, tho' diſputed, ſtill maintained themſelves in their priſtine vigour. Clarendon tells us * a pleaſant incident to this purpoſe. A waterman, belonging to a man of quality, having a ſquabble with a citizen about his fare, ſhowed his badge, the creſt of his maſter, which happened to be a ſwan; and thence inſiſted on better treatment from the citizen. But the other replied careleſsly, that he did not trouble his head about that gooſe. For this offence, he was ſummoned before the marſhal's court, was fined as having opprobriouſly defamed the nobleman's creſt, by calling the ſwan a gooſe, and was in effect reduced to ruin.

SIR Richard Granville had been very ill uſed by the earl of Suffolk in a law-ſuit; and he was accuſed before the ſtar-chamber of having ſaid of that nobleman, that he was a baſe lord. The evidence againſt him was ſomewhat weak; yet for this ſlight offence, inſufficiently proved, he was condemned to pay a fine of 8000 pounds; one half to the earl, another to the King †.

SIR George Markham, following a chace where the lord Darcy's huntſman was exerciſing his hounds, kept cloſer to the dogs than was thought proper by the huntſman, who, beſides other rudeneſs, gave him foul language, which Sir George returned with a ſtroke of his whip. The fellow threatened to complain to his maſter: The knight replied, If his maſter would juſtify ſuch inſolence, he would ſerve him in the ſame manner, or words to that effect. Sir George was cited to the ſtar-chamber, and fined 10,000 pounds. *So fine a thing was it in thoſe days to be a lord!* A very natural reflection of lord Lanſdown's in relating this incident ‡. The people, in vindicating their liberties from the authority of the crown, threw off alſo the yoke of the nobility. It is proper to remark that this laſt affair happened early in the reign of James. The preſent practice of the ſtar-chamber was no innovation; tho' the preſent diſpoſitions of the people made them repine more at this grievous ſervitude.

1635.

CHARLES had imitated the example of Elizabeth and James, and had iſſued proclamations forbidding the landed gentlemen and the nobility to live idly in London, and ordering them to retire to their country-ſeats ‖. For diſobedience to this edict, many were indicted by the attorney-general, and were fined in the ſtar-chamber §. This occaſioned diſcontents, and the ſentences were complained of, as illegal. But if proclamations had authority, of which no body pretended to doubt; muſt they not be put in execution? In no inſtance, I muſt confeſs, does

* Life of Clarendon, vol. i. p. 72. † Lord Lanſdown, p. 514. ‡ Id. p. 515.

‖ Ruſhw. vol. ii. p. 144. § Ruſhw. vol. ii. p. 288.

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Chap. III. 1635. it more evidently appear, what confuſed and uncertain ideas were, during that age, entertained concerning the Engliſh conſtitution.

RAY, having exported fuller's earth, contrary to the King's proclamation, was, beſides the pillory, condemned in the ſtar-chamber to a fine of 2000 pounds †. Like fines were levied on Terry, Eman, and others, for diſobeying a proclamation, which forbad the exportation of gold ‡. In order to account for the ſubſequent convulſions, even theſe incidents are not to be overlooked, as frivolous or contemptible. Such ſeverities as theſe were afterwards magnified into the greateſt enormities.

THERE remains a proclamation of this year, prohibiting hackney coaches to ſtand in the ſtreet ‖. We are told, that there were not above twenty coaches of that kind in London. There are, at preſent, near eight hundred.

1636. THE effects of ſhip money began now to appear. A formidable fleet of ſixty ſail, the greateſt which England had ever known, was equipped under the Earl of Northumberland, who had orders to attack the herring-buſſes of the Dutch, which fiſhed in what were called the Britiſh ſeas. The Dutch were content to pay 30,000 pounds for a licence during this year. They openly denied, however, this claim of dominion in the ſeas, beyond the friths, bays, and ſhores; and it may be queſtioned whether the laws of nations warrant any farther pretenſions.

THIS year the King ſent a ſquadron againſt Sallee; and with the aſſiſtance of the Emperor of Morocco, deſtroyed that receptacle of pyrates, by whom the Engliſh commerce and even the Engliſh coaſts had been long infeſted. This ſmall exploit was of conſequence, and the utmoſt that could be expected from a prince, who had no army nor revenue; and who had not been able, without employing the moſt difficult and even dangerous expedients, to equip a fleet, and thereby provide, in ſome degree, for the reputation and ſafety of his kingdoms.

1637. BURTON a divine, and Baſtwick a phyſician, were tried in the ſtar-chamber for ſeditious and ſchiſmatical libels, and were condemned to the ſame puniſhment, which had been inflicted on Prynne. Prynne himſelf was tried for a new offence; and, together with another fine of 5000 pounds, was condemned to loſe what remained of his ears. Beſides, that theſe writers had attacked, with great ſeverity, and even an intemperate zeal, the ceremonies, rites, and government of the church; the very anſwers, which they gave in to the court, were ſo full of contumacy and of invectives againſt the prelates, that no lawyer could be prevailed with to ſign them §. The rigours however, which they underwent, being ſo unworthy men of their profeſſion, gave general offence; and the patience or rather

† Ruſhw. vol. ii. p. 348. ‡ Id. p. 350. ‖ Id. p. 316.
§ Ruſhw. vol. ii. p. 381, 382, &c. State Trials, vol. v. p. 66.

alacrity, with which they ſuffered, increaſed ſtill farther the indignation of the public *. The ſeverity of the ſtar-chamber, which was generally aſcribed to Laud's paſſionate diſpoſition, was, perhaps, in itſelf, ſomewhat blameable; but will naturally, to us, appear enormous, who enjoy, in the utmoſt latitude, that liberty of the preſs, which is ſo neceſſary in every monarchy, confined by legal limitations. But as theſe limitations were not regularly fixed during the age of Charles, nor at any time before; ſo was the freedom of ſpeech totally unknown, and was generally deemed, as well as religious toleration, incompatible with all good government. No age or nation, among the moderns, had ever ſet an example of ſuch an indulgence: And it ſeems unreaſonable to judge of the meaſures, embraced during one period, by the maxims which prevail in another. Chap. III. 1637.

BURTON in his book, where he complained of innovations, mentioned among others, that a certain Wedneſday had been appointed for a faſt, and that the faſt was ordered to be celebrated without any ſermons †. The intention, as he pretended, of that novelty was, by the example of a faſt without ſermons, to ſuppreſs all the Wedneſday's lectures in London. 'Tis obſervable, that the church of Rome and that of England, being, both of them, lovers of form and ceremony and order, are more friends to prayer than preaching; while the puritanical ſectaries, who find, that the latter method of addreſs, being directed to a numerous audience preſent and viſible, is more inflaming and animating, have always regarded it as the chief part of divine ſervice. Such circumſtances, tho' minute, it may not be improper to tranſmit to poſterity; that thoſe, who are curious of tracing the hiſtory of the human mind, may remark, how far its ſeveral ſingularities coincide in different ages.

CERTAIN zealots had erected themſelves into a ſociety for buying in of impropriations, and transferring them to the church; and great ſums of money had been bequeathed to the ſociety for theſe purpoſes. But it was ſoon obſerved, that the only uſe which they made of their funds, was to eſtabliſh lecturers in all the conſiderable churches; men, who, without being ſubjected to epiſcopal authority, employed themſelves entirely in preaching and in ſpreading the fire of puritaniſm. Laud took care, by a decree, which was paſt in the court of exchequer, and which was much complained of, to aboliſh this ſociety, and to ſtop their progreſs ‡. It was, however, ſtill obſerved, that, throughout England, the lecturers were, all of them, puritanically affected; and from them the clergymen, who contented themſelves with reading prayers and homilies to the people, commonly received the reproachful appellation of *dumb dogs*.

* State Trials, vol. v. p. 80. † State Trials, vol. v. p. 74. Franklyn, p. 839.

‡ Ruſhw. vol. ii. p. 150, 151. Whitlocke, p. 15. Hiſtory of the life and ſufferings of Laud, p. 211, 212.

THE

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THE puritans, reſtrained in England, ſhipped themſelves off for America, and laid there the foundations of a government, which poſſeſſed all the liberty, both civil and religious, of which they found themſelves deprived in their native country. But their enemies, unwilling that they ſhould any where enjoy eaſe and contentment, and dreading, perhaps, the dangerous conſequences of ſo diſaffected a colony, prevailed with the King to iſſue a proclamation, debarring theſe devotees acceſs even into thoſe inhoſpitable deſarts *. Eight ſhips, lying in the Thames, and ready to ſail, were ſtayed by order of council; and in theſe were embarked Sir Arthur Hazelrig, John Hambden, and Oliver Cromwel †, who had reſolved for ever to abandon their native country, and fly to the other extremity of the globe; where they might enjoy lectures and diſcourſes of any length or form which pleaſed them. The King had afterwards full leiſure to repent this exerciſe of his authority.

THE biſhop of Norwich, by rigorouſly inſiſting on uniformity, had baniſhed many induſtrious tradeſmen from that city, and chaced them into Holland ‡. The Dutch began to be more intent on commerce than on orthodoxy; and thought that uſeful arts and obedience to the laws formed a good citizen; tho' attended with errors in ſubjects, where it is not allowable for human nature to expect any poſitive truth or certainty.

COMPLAINTS about this time were made, that the petition of right was, in ſome inſtances, violated, and that, upon a commitment by the King and council, bail or releaſment had been refuſed to Jennings, Pargiter, and Danvers ‖.

WILLIAMS, biſhop of Lincoln, a man of great ſpirit and learning, a very popular prelate, and who had been Lord keeper, was fined 10,000 pounds, committed to the Tower during the King's pleaſure, and ſuſpended from his office. This ſevere ſentence was founded on very frivolous pretences, and was more aſcribed to Laud's vengeance, than to any guilt of the biſhop §. Laud, however, had owed his firſt promotion entirely to the good offices of that prelate with King James. But ſo implacable was the haughty primate, that he raiſed up a new proſecution againſt Williams, on the ſtrangeſt pretence imaginable. In order to levy the fine above-mentioned, ſome officers had been ſent to ſeize all the furniture and books of his epiſcopal palace of Lincoln; and in rummaging the houſe, they found in a corner ſome neglected letters, which had been thrown by, as uſeleſs. Theſe letters were wrote by one Oſbaldiſtone, a ſchoolmaſter, and were directed to Williams. Mention was there made of *a little great man*; and in another paſſage, the ſame perſon was denominated *a little urchin*. By inferences and conſtructions, theſe

* Ruſhw. vol. ii. p. 409. 718.
† Mather's Hiſtory of New-England, book 1. Dugdale, Bates.
‡ May, p. 82.
‖ Ruſhw. vol. ii. p. 414.
§ Ruſhw. vol. ii. p. 416, &c.

epithets

epithets were applied to Laud; and on no better foundation was Williams tried anew, as having received ſcandalous letters, and not diſcovering that private correſpondence. For this offence, another fine of 8000 pounds was levied on him by a ſentence of the ſtar-chamber: Oſbaldiſtone was likewiſe brought to trial, and condemned to pay a fine of 5000 pounds, and to have his ears nailed to the pillory before his own ſchool. He ſaved himſelf by flight; and left a note in his ſtudy, where he ſaid, "That he was gone beyond Canterbury †." Chap. III. 1637.

THESE proſecutions of Williams ſeem to be the moſt iniquitous meaſure, purſued by the court during the time that the uſe of parliaments was ſuſpended. Williams was a man who had been indebted for all his fortune to the favour of James; but having quarreled, firſt with Buckingham, then with Laud, he threw himſelf into the country party; and with great firmneſs and vigour oppoſed all the meaſures of the King. A creature of the court to become its obſtinate enemy, a biſhop to countenance puritans; theſe circumſtances excited indignation, and engaged the miniſters in theſe ſevere meaſures. Not to mention, what ſome writers relate, that, before the ſentence was pronounced againſt him, Williams was offered a pardon upon his ſubmiſſion, which he refuſed to make. The court was apt to think, that ſo refractory a ſpirit muſt by any expedient be broken and ſubdued.

IN a former trial, which Williams underwent ‡, (for theſe were not the firſt) there was mentioned, in court, a ſtory, which, as it diſcovers the genius of parties, may be worth reciting. Sir John Lambe urging him to proſecute the puritans, the prelate aſked, what ſort of people theſe ſame puritans were? Sir John replied, "That to the world they ſeemed to be ſuch as would not ſwear, "whore, nor be drunk; but they would lie, cozen, and deceive: That they "would frequently hear two ſermons a-day, and repeat them too, and that ſome-"times they would faſt all day long." This character muſt be conceived to be ſatyrical; but yet, it may be allowed, that that ſect was more averſe to ſuch irregularities as proceed from the exceſs of gaiety and pleaſure, than to thoſe enormities, which are the moſt deſtructive of ſociety. The former were oppoſite to the very genius and ſpirit of their religion; the latter were only a tranſgreſſion of its precepts: And it was not difficult for a gloomy enthuſiaſt to convince himſelf, that a ſtrict obſervance of the one would attone for any violation of the other.

IN 1632, Lord treaſurer Portland had inſiſted with the vintners, that they ſhould ſubmit to a tax of a penny a-quart, upon all the wine which they retailed. But this propoſal they utterly refuſed. In order to puniſh them, a decree ſuddenly, without enquiry or examination, paſſed in the ſtar-chamber, prohibiting them to ſell

† Ruſhw. vol. ii. p. 803, &c. Whitlocke, p. 25.

‡ Ruſhw. vol. ii. p. 416.

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or dreſs victuals in their houſes *. Two years after, they were queſtioned for breach of this decree; and in order to avoid puniſhment, they agreed to lend the King ſix thouſand pounds. Being threatened, during the ſubſequent years, with fines and proſecutions, they at laſt compounded the matter, and ſubmitted to pay half the duty, which was at firſt demanded of them †. It required little foreſight to perceive, that the King's right of iſſuing proclamations muſt, if proſecuted, draw on a power of taxation.

LILBURNE was accuſed before the ſtar-chamber, of publiſhing and diſperſing ſeditious pamphlets. He was ordered to be examined; but refuſed to take the oath, uſual in that court, that he would anſwer interrogatories, by which he might be led to accuſe himſelf. For this contempt, as it was interpreted, he was condemned to be whipped, pilloried, and impriſoned. While he was whipped at the cart, and ſtood on the pillory, he harangued the populace, and declaimed violently againſt the tyranny of biſhops. From his pockets alſo he ſcattered pamphlets, ſaid to be ſeditious; becauſe they attacked the hierarchy. The ſtar-chamber, who were ſitting at that very time, ordered him immediately to be gagged. He ceaſed not however, tho' both gagged and pilloried, to ſtamp with his foot and geſticulate, in order to ſhow the people, that, if he had it in his power, he would ſtill harangue them. This behaviour gave freſh provocation to the ſtar-chamber; and they condemned him to be impriſoned in a dungeon, and to be loaded with irons ‡. It was found very difficult to break the ſpirits of men, who placed both their honour and their conſcience in ſuffering.

THE jealouſy of the church appeared in another inſtance leſs tragical. Archy, the King's fool, who, by his office, had the privilege of jeſting on his maſter, and the whole court, happened unluckily to try his wit upon Laud, who was too ſacred a perſon to be played with. News having arrived from Scotland of the firſt commotions excited by the liturgy, Archy, ſeeing the primate paſs by, called to him, *Who's fool, now, my Lord?* For this offence, Archy was ordered, by ſentence of the council, to have his coat pulled over his head, and to be diſmiſſed the King's ſervice ‖.

HERE is another inſtance of that rigorous ſubjection, in which all men were held by Laud. Some young gentlemen of Lincoln's-inn, heated by their cups, having drank confuſion to the Archbiſhop, were, at his inſtigation, cited before the ſtar-chamber. They applied to the Earl of Dorſet for protection. *Who bears witneſs againſt you?* ſaid Dorſet. *One of the drawers*, they replied. *Where did he ſtand, when you were ſuppoſed to drink this health?* ſubjoined the Earl. *He was at the door*, they replied, *going out of the room. Tuſh!* cried he; *the drawer*

* Ruſhw. vol. ii. p. 197. † Id. p. 451.

‡ Ruſhw. vol. ii. p. 465, 466, 467. ‖ Ruſhw. vol. ii. p. 470. Welwood, p. 278.

was miſtaken: You drank to the confuſion of the Archbiſhop of Canterbury's enemies; and the fellow was gone before you pronounced the laſt word. This hint ſupplied the young gentlemen with a new method of defence: And being adviſed by Dorſet to behave with great humility and great ſubmiſſion to the primate; the modeſty of their carriage, the ingenuity of their apology, with the patronage of that noble Lord, ſaved them from any ſeverer puniſhment than a reproof and admonition, with which they were diſmiſſed †. Chap. III. 1637.

THIS year, John Hambden deſervedly acquired, by his ſpirit and courage, univerſal popularity throughout the nation, and has merited great renown with poſterity for the bold ſtand, which he made, in defence of the laws and liberties of his country. After the laying on of ſhip money, Charles, in order to diſcourage all oppoſition, had propoſed this queſtion to the judges; "Whether, in a caſe "of neceſſity, for the defence of the kingdom, he might not impoſe this taxa-"tion; and whether he was not ſole judge of the neceſſity?" Theſe guardians of law and liberty replied, with great complaiſance, "That in a caſe of neceſ-"ſity he might impoſe that taxation, and that he was ſole judge of the neceſſity ‖." Mr. Hambden had been rated at twenty ſhillings for an eſtate, which he held in the county of Buckingham: Yet notwithſtanding this declared opinion of the judges, notwithſtanding the great power, and ſometimes rigorous maxims of the crown, notwithſtanding the little proſpect of relief from parliament; he reſolved, rather than tamely ſubmit to ſo illegal an impoſition, to ſtand a legal proſecution, and expoſe himſelf to all the indignation of the court. The caſe was argued during twelve days, in the exchequer-chamber, before all the judges of England; and the nation regarded, with the utmoſt anxiety, every circumſtance of this celebrated trial. The event was eaſily foreſeen: But the principles, and reaſonings, and behaviour of all the parties, engaged in the trial, were much canvaſſed and enquired into; and nothing could equal the favour paid to the one ſide, except the hatred, which attended the other. Trial of Hambden.

IT was urged by Hambden's council, that the plea of neceſſity was in vain introduced into a trial of law; ſince it was the nature of neceſſity to aboliſh all law, and, by irreſiſtible violence, to diſſolve all the weaker and more artificial ties of human ſociety. Not only the prince, in caſes of extreme diſtreſs, is exempted from the ordinary rules of adminiſtration: All orders of men are then levelled; and any individual may conſult the public ſafety by any expedient, which his ſituation enables him to employ. But to produce ſo violent an effect, and ſo hazardous to every community, an ordinary danger or difficulty is not ſufficient; much leſs, a neceſſity, which is merely fictitious and pretended. Where the peril is urgent and extreme, it will be palpable to every member of

† Ruſhw. vol. iii. p. 1180. ‖ Ruſhw. vol. ii. p. 355. Whitlocke, p. 24.

Chap. III. 1637. the ſociety; and tho' all antient rules of government are in that caſe abrogated, men will readily, of themſelves, ſubmit to that irregular authority, which is exerted for their preſervation. But what is there in common between ſuch ſuppoſitions, and the preſent condition of the nation? England enjoys a profound peace with all her neighbours: And what is more, all her neighbours are engaged in furious and bloody wars among themſelves, and by their mutual enmities farther enſure her tranquillity. The very writs themſelves, which are iſſued for the levying of ſhip-money, contradict the ſuppoſition of neceſſity, and pretend only, that the ſeas are infeſted with pirates; a ſlight and temporary inconvenience, which may well wait a legal ſupply from parliament. The writs likewiſe allow ſeveral months for equipping the ſhips; which proves a very calm and deliberate ſpecies of neceſſity, and one that admits of delay much beyond the forty days requiſite for ſummoning that aſſembly. 'Tis ſtrange too, that an extreme neceſſity, which is always apparent, and uſually comes to a ſudden criſis, ſhould now have continued, without interruption, for near four years, and ſhould have remained, during ſo long a time, inviſible to the whole kingdom. And as to the pretenſion, that the King is ſole judge of the neceſſity; what is this, but to ſubject all the privileges of the nation to his arbitrary will and pleaſure? To expect that the public will be convinced by ſuch reaſoning, muſt aggravate the general indignation; by adding, to violence againſt men's perſons and their property, ſo cruel a mockery of their underſtanding.

In moſt national debates, tho' the reaſons may not be equally balanced, yet are there commonly ſome plauſible topics, which may be pleaded even in favour of the weaker ſide; ſo complicated are all human affairs, and ſo uncertain the views, which give riſe to every public meaſure: But it muſt be confeſſed, that, in the preſent caſe, no legal topics of any weight can be thrown into the oppoſite ſcale. The impoſition of ſhip-money, is apparently one of the moſt dangerous invaſions of national privileges, not only which Charles was ever guilty of, but which the moſt arbitrary princes in England, ſince any liberty had been aſcertained to the people, had ever ventured upon †. In vain were precedents of antient writs produced: Theſe writs, when examined, were only found to require the ſea-ports, ſometimes at their own charge, ſometimes at the charge of the counties, to ſend their ſhips for the defence of the nation. Even the prerogative, which empowered the crown to iſſue ſuch writs, was aboliſhed, and its exerciſe almoſt entirely diſcontinued, from the time of Edward III. ‖ and all the authority, which remained or was afterwards exerciſed, was to preſs ſhips into the public ſervice, to be paid

† It muſt, however, be allowed, that Queen Elizabeth ordered the ſea-ports to fit out ſhips at their own expence during the time of the Spaniſh invaſion. *Monſon's Naval Tracts.*

‖ State Trials, vol. v. p. 245, 255.

for

for by the public. How wide were theſe precedents from a power of arbitrarily obliging the people, at their own charge, to build new ſhips, to victual and pay them, for the public; nay, to furniſh money to the crown for that purpoſe? What ſecurity either againſt the farther extenſion of this claim, or againſt employing to other purpoſes the public money ſo levied? The plea of neceſſity would warrant any other taxation as well as that of ſhip-money; and it was difficult to conceive the kingdom in a ſituation, where that plea could be urged with leſs plauſibility than at preſent. And if ſuch maxims and ſuch practices prevail, what has become of national liberty? What authority is left to the great charter, to the ſtatutes, and to that very petition of right, which, in the preſent reign, had been ſo ſolemnly enacted, by the concurrence of the whole legiſlature? Chap. III. 1637.

NOTWITHSTANDING all theſe reaſons, the prejudiced or proſtituted judges, four * excepted, gave ſentence in favour of the crown †. Hambden, however, obtained by the trial the end, for which he had ſo generouſly ſacrificed his ſafety and his quiet: The people were rouzed from their lethargy, and became ſenſible of the danger, to which their liberty was expoſed. Theſe national queſtions were canvaſſed in every company; and the more they were examined, the more evidently did it appear to many, that liberty was totally ſubverted, and an unuſual and arbitrary authority exerciſed over the kingdom. Slaviſh principles, they ſaid, concurred with illegal practices; eccleſiaſtical tyranny gave aid to civil uſurpation; iniquitous taxes were ſupported by arbitrary puniſhments; and all the rights of the nation, tranſmitted through ſo many ages, ſecured by ſo many laws, and purchaſed by the blood of ſo many heroes, and patriots, now lay proſtrate at the feet of the monarch. What tho' public peace and national induſtry encreaſed the commerce and opulence of the kingdom? This advantage was temporary, and due alone, not to any encouragement given by the crown, but to the ſpirit of the Engliſh, the remains of their antient freedom. What tho' the perſonal character of the King, amidſt all his miſguided councils, might merit indulgence, or even praiſe? He was but one man; and the privileges of

* See State Trials: Article, ſhip-money, which contains the ſpeeches of four judges in favour of Hambden.

† The power of taxing themſelves is an undoubted and moſt important privilege of the people of England. The only apology, which could be made for the King in impoſing ſhip-money, is derived from a topic, which could not juſtly be admitted by any court of judicature; that all the privileges of the people were ſo far ſubordinate to royal prerogative, that in caſes of neceſſity they might lawfully be diſpenſed with. Such a doctrine may be tolerable, where the neceſſity is ſuppoſed evident, extreme, and inevitable. But the King thought, that a leſs neceſſity, if it proceeded from the obſtinacy of the people, might warrant this extraordinary exertion of prerogative: A principle, it muſt be owned, very dangerous to national liberty, and ſuch as no lawyer ought to be allowed to plead. Whatever therefore may be advanced in excuſe for the King, nothing reaſonable can be ſaid in favour of the judges.

Chap. III. 1637. the nation, the inheritance of millions, were too valuable to be ſacrificed to his prejudices and miſtakes. Such, or more ſevere, were the ſentiments promoted by a great party in the nation: No excuſe on the King's part, or alleviation, however reaſonable, could be hearkened to or admitted: And to redreſs theſe grievances, a parliament was impatiently longed for; or any other incident, however calamitous, which might ſecure the people againſt thoſe oppreſſions, which they felt, or the greater ills, which they apprehended, from the combined encroachments of church and ſtate.

CHAP. IV.

Diſcontents in Scotland.——Introduction of the canons and liturgy.——A tumult at Edinburgh.——The covenant.——A general aſſembly.——Epiſcopacy aboliſhed.——War.——A pacification.——Renewal of the war.——Fourth Engliſh parliament.——Diſſolution.——Diſcontents in England.——Rout at Newburn.——Treaty at Rippon.——Great council of the peers.

1637. THE grievances under which the Engliſh laboured, when conſidered in themſelves, without regard to the conſtitution, ſcarce deſerve the name; nor were they either burthenſome on the peoples properties, or any way ſhocking to the natural humanity of mankind. Even the taxation of ſhip-money, independent of the conſequences, was rather an advantage to the public; by the judicious uſe, which the King made of the money, levied by that expedient. And tho' it was juſtly apprehended, that ſuch precedents, if patiently ſubmitted to, would end in a total diſuſe of parliaments, and in the eſtabliſhment of arbitrary authority; Charles dreaded no oppoſition from the people, who are not commonly much affected with conſequences, and require ſome ſtriking motive, to engage them into a reſiſtance of eſtabliſhed government. All eccleſiaſtical affairs were ſettled by law and uninterrupted precedent; and the church was become a conſiderable barrier to the power, both legal and illegal, of the crown. Peace too, induſtry, commerce, opulence; nay, even juſtice and lenity of adminiſtration, notwithſtanding ſome few exceptions: All theſe were enjoyed by the people; and every other bleſſing of government, except liberty, or rather the preſent exerciſe of liberty and its proper ſecurity †. It ſeemed probable, there-

† Clarendon, p. 74, 75. May, p. 18. Warwick, p. 62.

fore,

fore, that affairs might long have continued on the ſame footing in England, had it not been for the neighbourhood of Scotland; a country more turbulent, and leſs diſpoſed to ſubmiſſion and obedience. It was from thence the commotions firſt aroſe; and 'tis therefore time for us to return thither, and to give an account of the ſituation of that country. Chap. IV. 1637.

THO' the pacific, and not unſkilful government of James, and the great authority, which he had acquired, had much allayed the feuds among the great families, and had eſtabliſhed law and order throughout the kingdom; the Scots nobility were ſtill poſſeſſed of the chief power and influence over the people. Their property was very extenſive; their hereditary juriſdictions and the feudal tenures increaſed their authority; and the attachment of the gentry to the heads of families eſtabliſhed a kind of voluntary ſervitude under the chieftans. Beſides that long abſence had much looſened the King's connexion with the nobility, who reſided chiefly at their country ſeats; they were, in general, at this time, tho' from ſlight cauſes, very much diſguſted with the court. Charles, from the natural piety or ſuperſtition of his temper, was extremely attached to the eccleſiaſtics: And as it is natural for men to perſuade themſelves, that their intereſt coincides with their inclination; he had eſtabliſhed it as a fixed maxim of policy, to increaſe the power and authority of that order. The prelates, he thought, eſtabliſhed regularity and diſcipline among the clergy; the clergy inculcated obedience and loyalty among the people: And as that rank of men had no ſeparate authority, and no dependance but on the crown; the royal power, it would ſeem, might, with the greateſt ſafety, be entruſted in their hands. Many of the prelates, therefore, he raiſed to the chief dignities of the ſtate *: Spotſwood, Archbiſhop of St. Andrews, was created chancellor: Nine of the biſhops were privy counſellors: The biſhop of Roſs aſpired to the office of treaſurer: Some of the prelates poſſeſſed places in the exchequer: And it was even endeavoured to revive the firſt inſtitution of the college of juſtice, and to ſhare equally between the clergy and laity the whole judicial authority †. Theſe advantages, which were poſſeſſed by the church, and which the biſhops did not always enjoy with ſuitable modeſty, diſguſted the haughty nobility, who, deeming themſelves ſo much ſuperior in rank and quality to this new order of men, were diſpleaſed to find themſelves inferior in power and influence. Intereſt joined itſelf to ambition; and begot a jealouſy, leſt the epiſcopal ſees, which, at the reformation, had been pillaged by the nobles, ſhould again be enriched at their expence. By a moſt uſeful and beneficent law, the impropriations had already been raviſhed from the great men: Power had been given to aſſign, to the impoveriſhed clergy, competent livings from the tythes of each pariſh: And what remained, the proprietor of the land was impowered to purchaſe at a low valuation ‡. The King Diſcontents in Scotland.

* Ruſhw. vol. ii. p. 386. May, p. 29. † Guthry's Mem. p. 14. Burnet's Mem. p. 29, 30.
‡ King's Declaration, p. 7. Franklyn, p. 611.

likewiſe,

Chap. IV. 1637. likewiſe, warranted by antient law and practice, had declared for a general reſumption of all crown-lands, alienated by his predeceſſors; and tho' he took no ſtep towards the execution of this project, the very pretenſion to ſuch power had excited jealouſy and diſcontent *.

NOTWITHSTANDING the tender regard, which Charles bore to the whole church, he had been able in Scotland, to acquire only the affection of the ſuperior rank among the clergy. The miniſters, in general, equalled, if not exceeded the nobility, in their prejudices againſt the court, againſt the prelates, and againſt epiſcopal authority †. Tho' the eſtabliſhment of the hierarchy might ſeem advantageous to the inferior clergy, both as it erected dignities, to which all of them might aſpire, and as it beſtowed a luſtre on the whole body, and allured men of family into it; theſe views had no influence on the Scots eccleſiaſtics. In the preſent diſpoſition of mens minds, there was another circumſtance which drew conſideration, and counter-balanced power and riches, the uſual foundations of diſtinction among men; and that was, the fervour of piety, and the rhetoric, however barbarous, of religious lectures and diſcourſes. Checked by the prelates in the licence of preaching, the clergy regarded epiſcopal juriſdiction both as a tyranny and an uſurpation, and maintained a parity among eccleſiaſtics to be a divine privilege, which no human law could alter or infringe. While ſuch ideas prevailed, the moſt moderate exerciſe of authority would have given diſguſt; much more, that extenſive power, which the King's indulgence encouraged the prelates to aſſume. The juriſdiction of preſbyteries, ſynods, and other democratical courts was, in a manner, aboliſhed by the biſhops; and the general aſſembly itſelf had not been ſummoned for ſeveral years ‡. A new oath was arbitrarily exacted of intrants, by which they ſwore to obſerve the articles of Perth, and ſubmit to the liturgy and canons. And in a word, the whole ſyſtem of church government, during a courſe of thirty years, had been changed by means of the innovations introduced by James and Charles.

THE people, under the influence of the nobility and clergy, could not fail to partake of the diſcontents, which prevailed among theſe two orders; and where real grounds of complaint were wanting, they greedily laid hold of imaginary ones. The ſame horror againſt popery, with which the Engliſh puritans were poſſeſſed, was obſervable among the populace in Scotland; and among theſe, who were more uncultivated and uncivilized, ſeemed rather to be inflamed into a higher degree of ferocity. The genius of religion, which prevailed with the court and prelacy, was of an oppoſite nature; and having ſome affinity with the Romiſh worſhip, led them to mollify, as much as poſſible, theſe ſevere prejudices, and to ſpeak of the catholics in more charitable language, and with more reconciling ex-

* King's Declaration, p. 6. † Burnet's Mem. p. 29, 30. ‡ May, p. 29.

preſſions.

preſſions. From this foundation, a panic fear of popery was eaſily raiſed; and every new ceremony or ornament, introduced into divine ſervice, was part of that great myſtery of iniquity, which, from the encouragement of the King and the biſhops, was to overſpread the nation *. The few innovations, which James had made, were conſidered as preparatives to this grand deſign; and the farther alterations, attempted by Charles, were repreſented as a plain declaration of his intentions. Thro' the whole courſe of this reign, nothing had more fatal influence, in both kingdoms, than this groundleſs apprehenſion, which, with ſo much induſtry, was propagated, and with ſo much credulity, was embraced by all ranks of men. Chap. IV. 1637.

AMIDST theſe dangerous complaints and terrors of religious grievances, the civil and eccleſiaſtical privileges of the nation were imagined, and with ſome reaſon, not to be altogether free from invaſion.

THE eſtabliſhment of the high-commiſſion by James, without any authority of law, ſeemed a conſiderable encroachment of the crown; and erected the moſt dangerous and arbitrary of all courts, by a method equally dangerous and arbitrary. All the ſteps towards the ſettlement of epiſcopacy had indeed been taken with conſent of parliament: The articles of Perth were confirmed in 1621: In 1633, the King had obtained a general ratification of every eccleſiaſtical eſtabliſhment: But all theſe laws had leſs authority with the nation, as they were known to have paſſed contrary to the ſentiments even of thoſe who voted for them, and were in reality extorted by the authority and importunity of the ſovereign. The means, however, which both James and Charles had employed, in order to influence the parliament, were intirely regular; and no reaſonable pretence had been afforded for repreſenting theſe laws as null or invalid.

BUT there prevailed among the greateſt part of the nation another principle, of the moſt important and moſt dangerous conſequence, and which, if admitted, deſtroyed intirely the validity of all ſuch ſtatutes. The eccleſiaſtical authority was ſuppoſed to be totally independent of the civil; and no act of parliament, nothing but the conſent of the church itſelf, was repreſented as ſufficient ground for the introduction of any change in religious worſhip or diſcipline. And tho' James had obtained the vote of aſſemblies for receiving epiſcopacy and his new rites; it muſt be confeſſed, that ſuch irregularities had prevailed in conſtituting theſe eccleſiaſtical courts, and ſuch violences in conducting them, that there were ſome grounds for denying the authority of all their acts. Charles, ſenſible, that an extorted conſent, attended with ſuch invidious circumſtances, would rather be prejudicial to his meaſures, had intirely laid aſide the uſe of aſſemblies, and was reſolved, in conjunction with the biſhops, to govern the church by an authority, to which he thought himſelf fully intitled, and which he believed abſolutely uncontroulable.

* Burnet's Memoirs, p. 29, 30, 31.

Chap. IV. 1637.

THE King's great aim was to compleat the work, ſo happily begun by his father; to eſtabliſh diſcipline upon a regular ſyſtem of canons, to introduce a liturgy into public worſhip, and to render the eccleſiaſtical government of all his kingdoms entirely regular and uniform. Some views of policy might move him to this undertaking: But the chief motives were derived from miſtaken principles of zeal and conſcience.

Introduction of the canons and liturgy.

THE canons for eſtabliſhing eccleſiaſtical juriſdiction were promulgated in 1635; and were received by the nation, tho' without much appearing oppoſition, yet with great inward apprehenſion and diſcontent. Men felt diſpleaſure, at ſeeing the royal authority highly exalted by them, and repreſented as abſolute and uncontroulable. They ſaw theſe ſpeculative principles reduced to practice, and a whole body of eccleſiaſtical laws eſtabliſhed, without any previous conſent either of church or ſtate †. They dreaded, that, by a parity of reaſon, like arbitrary authority, from like pretences and principles, would be aſſumed in civil matters: They remarked, that the delicate boundaries, which ſeparate church and ſtate, were already paſſed, and many civil ordinances eſtabliſhed by the canons, under colour of eccleſiaſtical inſtitutions: And they were apt to deride the negligence, with which theſe important edicts had been compiled; when they found, that the new liturgy or ſervice-book was every where, under ſevere penalties, enjoined by them, tho' it had not yet been compoſed or publiſhed ‡. It was, however, ſoon expected; and in the reception of it, as the people are always moſt affected by what is external and expoſed to the ſenſes, it was apprehended, that the chief difficulty would conſiſt.

THE liturgy, which the King, from his own authority, impoſed on Scotland, was copied from that of England: But leſt a ſervile imitation might ſhock the pride of his antient kingdom, a very few alterations, in order to ſave appearances, were made in it; and in that ſhape it was tranſmitted to the biſhops at Edinburgh ‖. But the Scots had univerſally entertained a notion, that, tho' riches and worldly glory had been ſhared out to them with a ſparing hand, they could boaſt of ſpiritual treaſures more abundant and more genuine, than were enjoyed by any nation under heaven. Even their ſouthern neighbours, they thought, tho' ſeparated from Rome, ſtill retained a great tincture of the primitive pollution; and their liturgy was repreſented as a ſpecies of maſs, tho' with ſome leſs ſhow and embroidery §. Great prejudices, therefore, were entertained againſt it, even conſidered in itſelf; much more, when regarded as a preparative, which was ſoon to introduce into Scotland all the abominations of popery. And as the very few alterations, which diſtinguiſhed the new liturgy from the Engliſh,

† Clarendon, vol. i. p. 106. ‡ Id. p. 105. ‖ King's Decl. p. 18. May, p. 32.
§ King's Decl. p. 20.

ſeemed

ſeemed to approach nearer to the doctrine of the real preſence; this circumſtance was deemed an undoubted confirmation of every ſuſpicion, with which the people were poſſeſſed †. Chap. IV. 1637.

EASTER-DAY was, by proclamation, appointed for the firſt reading of the ſervice in Edinburgh: But in order to judge more ſurely of mens diſpoſitions, the council delayed the matter, till the 23d of July; and they even gave notice, the Sunday before, of their intention to commence the uſe of the new liturgy. As no conſiderable ſymptoms of diſcontent appeared, they thought, that they might ſafely proceed in their purpoſe ‡; and accordingly, in the cathedral church of St. Gyles, the dean of Edinburgh, arrayed in his ſurplice, began the ſervice; the biſhop himſelf, and many of the privy council being preſent. But no ſooner had the dean opened the book, than a multitude of the meaneſt ſort, moſt of them women, clapping their hands, curſing, and crying out, *A pope! a pope! antichriſt! ſtone him!* raiſed ſuch a tumult, that it was impoſſible to proceed with the ſervice. The biſhop, mounting the pulpit, in order to appeaſe the populace, had a ſtool thrown at him: The council were inſulted: And it was with difficulty, that the magiſtrates were able, partly by authority, partly by force, to expel the rabble, and to ſhut the doors againſt them. The tumult, however, ſtill continued without: Stones were thrown at the doors and windows: And when the ſervice was ended, the biſhop, going home, was attacked, and narrowly eſcaped from the hands of the enraged multitude. In the afternoon, the Lord privy ſeal, becauſe he carried the biſhop in his coach, was ſo pelted with ſtones, and hooted at with execrations, and preſſed upon by the eager populace, that, if his ſervants, with drawn ſwords, had not kept them off, the biſhop had run the utmoſt hazard of his life ‖. Tumult at Edinburgh.

THO' it was violently ſuſpected, that the low rabble, who alone appeared, had been inſtigated by ſome of higher condition, yet no proof of it could ever be produced; and every one ſpake with diſapprobation of the licentiouſneſs of the giddy multitude §. It was not thought ſafe, however, to hazard a new inſult by any new attempt to read the liturgy; and the populace ſeemed, for the time, to be appeaſed and ſatisfied. But it being known, that the King ſtill perſevered in his intentions of impoſing that mode of worſhip, men fortified themſelves ſtill farther in their prejudices againſt it; and great multitudes reſorted to Edinburgh, in order to oppoſe the introduction of ſo hated a novelty ¶. It was not long before they broke out into the moſt violent diſorder. The biſhop of Gal- 18th of Oct.

† Burnet, Mem. p. 31. Ruſhw. vol. ii. p. 396. May, p. 31.
‡ King's Decl. p. 22. Clarendon, vol. i. p. 108. Ruſhw. vol. ii. p. 387.
‖ King's Decl. p. 23, 24, 25. Ruſhw. vol. ii. p. 388.
§ King's Decl. p. 26. 30. Clarendon, vol. i. p. 109.
¶ King's Decl. p. 32. Ruſhw. vol. ii. p. 400.

Chap. IV. 1637. loway was attacked in the ſtreets, and chaced into the chamber, where the privy council was ſitting. The council itſelf was beſieged and violently attacked: The town-council met with the ſame fate: and nothing could have ſaved the lives of all of them, but their application to ſome popular lords, who protected them, and diſperſed the multitude. In this ſedition, the actors were of ſome better condition than in the former; tho' no body of rank ſeemed, as yet, to countenance them †.

ALL men, however, began to unite and to encourage each other, in oppoſition to the religious innovations, introduced into the kingdom. Petitions to the council were ſigned and preſented by perſons of the higheſt quality: The women took party, and, as is uſual, with great violence: The clergy, every where, loudly declaimed againſt popery and the liturgy, which they repreſented as the ſame: The pulpits reſounded with vehement invectives againſt antichriſt: And the populace, who firſt oppoſed the ſervice, was often compared to Balaam's aſs, an animal, in itſelf, ſtupid and ſenſeleſs, but whoſe mouth had been opened by the Lord, to the admiration of the whole world ‡. In ſhort, fanaticiſm mingling with faction, private intereſt with the ſpirit of liberty, ſymptoms appeared, on all hands, of the moſt dangerous inſurrection and diſorder.

THE primate, a man of wiſdom and moderation, who was all along averſe to the introduction of the liturgy, repreſented to the King the ſtate of the nation: The Earl of Traquaire, Lord treaſurer, ſet out for London, in order to lay the matter more fully before him: Every circumſtance, whether the condition of England or of Scotland was conſidered, ſhould have engaged him to deſiſt from ſo hazardous an atempt: Yet was Charles inflexible. In his whole conduct of this affair, there appeared no marks of the good ſenſe, with which he was undoubtedly endowed: A lively inſtance of that ſpecies of character, ſo frequently to be met with; where there are found parts and judgment in every diſcourſe and opinion; in many actions, indiſcretion and imprudence. Mens views of things are the reſult of their underſtanding alone: Their conduct is regulated by their underſtanding, their temper, and their paſſions.

1638. 19th of Feb. To ſo violent a combination of a whole kingdom, Charles had nothing to oppoſe but a proclamation; in which he pardoned all paſt offences, and exhorted the people to be more obedient for the future, and to ſubmit peaceably to the uſe of the liturgy. This proclamation was inſtantly encountered with a public proteſtation, preſented by the Earl of Hume and Lord Lindeſey: And this was the firſt time, that men of quality had appeared in any violent act of oppoſition ‖. But this proved a criſis. The inſurrection, which had been advancing by a gra-

† King's Decl. p. 35, 36, &c. Ruſhw. vol. ii. p. 404. ‡ King's Decl. p. 31.
‖ King's Decl. 47, 48, &c. Guthry, p. 28. May, p. 37.

dual

dual and ſlow progreſs, now blazed out at once. No diſorder, however, attended it. On the contrary, a new order immediately took place. Four *tables*, as they were called, were formed in Edinburgh. One conſiſted of nobility, another of gentry, a third of miniſters, a fourth of burgeſſes. The table of gentry was divided into many ſubordinate tables, according to their different counties. In the hands of the four tables, the whole authority of the kingdom was placed. Orders were iſſued by them, and every where obeyed, with the utmoſt regularity †. And among the firſt acts of their government was the production of the COVENANT. Chap. IV. 1638.

THIS famous covenant conſiſted firſt of a renunciation of popery, formerly ſigned by James in his youth, and compoſed of many invectives, fitted to inflame the minds of men againſt their fellow creatures, whom heaven has enjoined them to cheriſh and to love. There followed a bond of union, by which the ſubſcribers obliged themſelves to reſiſt religious innovations, and to defend each other againſt all oppoſition whatever: And all this, for the greater glory of God, and the greater honour and advantage of their King and country ‡. All ranks and conditions, all ages and ſexes, flocked to the ſubſcription of this covenant: Few, in their judgment, diſapproved of it; and ſtill fewer dared openly to condemn it. The King's miniſters and counſellors themſelves were, moſt of them, ſeized by the general contagion. And none but rebels to God, and traitors to their country, it was thought, would withdraw themſelves from ſo ſalutary and ſo pious a combination. The covenant.

THE treacherous, the cruel, the unrelenting Philip, accompanied with all the terrors of a Spaniſh inquiſition, was ſcarcely, during the preceding century, oppoſed in the Low Countries with more determined fury, than was now, by the Scots, the mild, the humane Charles, attended with his inoffenſive liturgy. June.

THE King began to apprehend the conſequences. He ſent the Marqueſs of Hamilton, as commiſſioner, with authority to treat with the covenanters. He required the covenant to be renounced and recalled: And he thought, that on his part he had made very ſatisfactory conceſſions, when he offered to ſuſpend the canons and the liturgy, till, in a fair and legal way, they could be received; and ſo to model the high commiſſion, that it ſhould no longer give offence to his ſubjects ‖. Such general declarations could not well give content to any, much leſs to thoſe who carried ſo much higher their pretenſions. The covenanters found themſelves ſeconded by the zeal of the whole nation. Above ſixty thouſand people were aſſembled in a tumultuous manner about Edinburgh.

† Clarendon, vol. i. p. 111. Ruſhw. vol. ii. p. 734.

‡ King's Decl. p. 57, 58. Ruſhw. vol. ii. p. 734. May, p. 38.

‖ Ruſhw. vol. ii. p. 754, &c.

Charles

Chap. IV. 1638. Charles poſſeſſed no regular forces in either of his kingdoms. And the diſcontents in England, tho' ſecret, were believed ſo violent, that the King, it was thought, would find it very difficult to employ in ſuch a cauſe the power of that nation. The more, therefore, the popular leaders in Scotland conſidered their ſituation, the leſs apprehenſions did they entertain of royal power, and the more rigorouſly did they inſiſt on intire ſatisfaction. In anſwer to Hamilton's demand of renouncing the covenant, they plainly told him, that they would ſooner renounce their baptiſm †. And the miniſters invited the commiſſioner himſelf to ſubſcribe it; by informing him, "With what peace and comfort it had filled the "hearts of all God's people; what reſolutions and beginnings of reformation of "manners were ſenſibly perceived in all parts of the nation, above any meaſure "they had ever before found or could have expected; how great glory the "Lord had received thereby; and what confidence they had, that God would "make Scotland a bleſſed kingdom ‡."

HAMILTON returned to London: Made another fruitleſs journey, with new conceſſions, to Edinburgh: Returned again to London; and was immediately ſent back with ſtill more ſatisfactory conceſſions. The King was now willing
17th of Sept. intirely to aboliſh the canons, the liturgy, and the high-commiſſion-court. He was even reſolved to limit extremely the power of the biſhops, and was content, if, on any terms, he could retain that order in the church of Scotland ‖. And to enſure all theſe gracious offers, he gave Hamilton authority to ſummon firſt an aſſembly, then a parliament, where every national grievance might be redreſſed and remedied. Theſe ſucceſſive conceſſions of the King, which yet came ſtill ſhort of the riſing demands of the malecontents, diſcovered his own weakneſs, encouraged their inſolence, and gave no ſatisfaction. The offer, however, of an aſſembly and a parliament, in which they expected to be intirely maſters, was very willingly embraced by all the covenanters.

CHARLES, perceiving what advantage his enemies had reaped from their covenant, reſolved to have a covenant on his ſide; and he ordered one to be drawn up for that purpoſe. It conſiſted of the ſame violent renunciation of popery above-mentioned; which, tho' the King did not approve of it, he thought it ſafeſt to adopt, in order to remove all the ſuſpicions, entertained againſt him. As the covenanters, in their bond of mutual defence againſt all oppoſition, had been careful not to except the King; Charles had formed a bond, which was annexed to this renunciation, and which expreſſed the ſubſcribers duty and loyalty to his Majeſty §. But the covenanters, perceiving, that this new covenant was only meant to weaken and divide them, received it with the utmoſt ſcorn and deteſtation.

† King's Decl. p. 87. ‡ King's Decl. p. 88. Ruſhw. vol. ii. p. 751.
‖ King's Decl. p. 137. Ruſhw. vol. ii. p. 762. § King's Decl. p. 140, &c.

And

And without delay, they proceeded to the modelling the future aſſembly, from which ſuch great atchievements were expected †. Chap. IV. 1638.

THE genius of that religion, which prevailed in Scotland, and which, every day, was ſecretly gaining ground in England, was far from inculcating deference and ſubmiſſion to the eccleſiaſtics, merely as ſuch: Or rather, by nouriſhing in every individual, the higheſt raptures and extaſies of devotion, it conſecrated, in a manner, every individual, and, in his own eyes, beſtowed a character on him, much ſuperior to what forms and ceremonious inſtitutions could alone confer. The clergy of Scotland, tho' ſuch a tumult was excited about religious worſhip and diſcipline, were both poor, and in ſmall numbers; nor are they, in general, to be conſidered, at leaſt in the beginning, as the ringleaders of the ſedition, which was raiſed on their account. On the contrary, the laity, apprehending, from ſeveral inſtances, which occurred, a ſpirit of moderation in that order, reſolved to domineer intirely in the aſſembly, which was ſummoned, and to hurry on the eccleſiaſtics by the ſame furious zeal, with which they were themſelves tranſported ‡. A general aſſembly.

IT had been uſual, before the eſtabliſhment of prelacy, for each preſbytery to ſend to the aſſembly, beſides two or three miniſters, one lay-commiſſioner ‖; and, as all the burroughs and univerſities ſent likewiſe commiſſioners, the lay-members, in that eccleſiaſtical court, very nearly equalled the eccleſiaſtics. Not only this inſtitution, which James, apprehenſive of zeal in the laity, had aboliſhed, was now revived by the covenanters: They alſo introduced an innovation, which ſerved ſtill farther to reduce the clergy to ſubjection. By an edict of the tables, whoſe authority was ſupreme, an elder, from each pariſh, was ordered to attend the preſbytery, and to give his vote in the choice both of the commiſſioners and miniſters, who ſhould be deputed to the aſſembly. As it is not uſual for the miniſters, who are put in the liſt of candidates, to claim a vote, the whole elections, by that means, fell into the hands of the laity: The moſt furious of all ranks were choſen: And the more to overawe the clergy, a new device was fallen upon, of chuſing, to every commiſſioner, four or five lay-aſſeſſors, who, tho' they could have no vote, yet might interpoſe with their counſel and authority in the aſſembly §.

THE aſſembly met at Glaſgow: And, beſides a great concourſe of the people, all the nobility and gentry of any family or intereſt were preſent, either as members, aſſeſſors, or ſpectators; and it was apparent, that the reſolutions, taken by 21ſt of Nov.

† Ruſhw. vol. ii. p. 772. ‡ King's Decl. p. 188, 189. Ruſhw. vol. ii. p. 761.

‖ A preſbytery in Scotland is an inferior eccleſiaſtical court, the ſame which was afterwards called a claſſis in England, and is compoſed of the clergy of the neighbouring pariſhes, to the number commonly of between twelve and twenty.

§ King's Decl. p. 190, 191. 290. Guthry, p. 39, &c.

Chap. IV. 1638. the covenanters, could here meet with no manner of oppoſition. A firm determination had been entered into, of utterly aboliſhing epiſcopacy; and as a preparative to it, there was laid before the preſbytery of Edinburgh, and ſolemnly read in all the churches of the kingdom, an accuſation againſt the biſhops, as guilty, all of them, of hereſy, ſimony, bribery, perjury, cheating, inceſt, adultery, fornication, common ſwearing, drunkenneſs, gaming, breach of the ſabbath, and every other crime, which had occurred to the accuſers †. The biſhops ſent a proteſt, declining the authority of the aſſembly; the commiſſioner too proteſted againſt that court, as illegally conſtituted and elected; and, in his Majeſty's name, diſſolved it. This meaſure was foreſeen, and little regarded. The court ſtill continued to ſit, and to finiſh their buſineſs ‡. All the acts of aſſembly, ſince the acceſſion of James to the crown of England, were, upon pretty reaſonable grounds, declared null and invalid. The acts of parliament, which affected eccleſiaſtical affairs, were ſuppoſed, on that very account, to have no manner of authority. And thus epiſcopacy, the high-commiſſion, the articles of Perth, the canons, and the liturgy, were aboliſhed and declared unlawful: And the whole fabric, which James and Charles, in a long courſe of years, had been rearing with ſo much care and policy, fell at once to the ground. The covenant likewiſe was ordered to be ſigned by every one, under pain of excommunication ‖.

Epiſcopacy aboliſhed.

THE independence of the eccleſiaſtical upon the civil power was the old preſbyterian principle, which had been zealouſly adopted at the reformation, and which, tho' James and Charles had obliged the church publicly to diſclaim it, had been ſecretly adhered to by all ranks of people. It was commonly aſked, whether Chriſt or the King was ſuperior: And as the anſwer ſeemed obvious, it was inferred, that the aſſembly, being Chriſt's council, was ſuperior, in all ſpiritual matters, to the parliament, which was only the King's. But as the covenanters were ſenſible, that this conſequence, tho' it ſeemed to them irrefragable, would not be aſſented to by the King; it became requiſite to maintain their religious tenets by military force, and not to truſt entirely to ſupernatural aſſiſtance, of which, however, they held themſelves well aſſured. They caſt their eyes on all ſides, abroad and at home, whence-ever they could expect any aid or ſupport.

1639.

AFTER France and Holland had entered into a league againſt Spain, and framed a treaty of partition, by which they were to conquer and to divide between them the low country-provinces, England was invited to preſerve a neutrality between the contending parties, while the French and Dutch ſhould at-

† King's Decl. p. 218. Ruſhw. vol. ii. p. 787. ‡ May, p. 44.

‖ King's Decl. p. 317.

tack

tack the maritime towns of Flanders. But the King replied to d'Eſtrades, the French ambaſſador, who opened the propoſal, that he had a ſquadron ready, and would croſs the ſeas, if neceſſary, with an army of 15,000 men, in order to prevent theſe projected conqueſts *. This anſwer, which proves, that Charles, tho' he expreſſed his mind with an imprudent candor, had, at laſt, acquired a juſt idea of national intereſt, irritated extremely Cardinal Richelieu; and in revenge, that politic and enterprizing miniſter carefully fomented the firſt commotions in Scotland, and ſecretly ſupplied the covenanters with money and arms, in order to encourage them in their oppoſition againſt their ſovereign. Chap. IV. 1639.

But the chief reſource of the Scots malecontents, was in themſelves, and in their own vigour and ability. No regular eſtabliſhed commonwealth could take juſter meaſures, or execute them with greater promptitude, than did this tumultuous combination, inflamed with bigotry for religious trifles, and faction without a reaſonable object. The whole kingdom was, in a manner, engaged; and the men of greateſt ability, ſoon acquired the aſcendant, which their family-intereſt enabled them to maintain. The Earl of Argyle, tho' he long ſeemed to temporize, had, at laſt, embraced the covenant; and he became the chief leader of that party: A man equally ſupple and inflexible, cautious and determined, and entirely qualified to make a figure during a factious and turbulent period. The Earls of Rothes, Caſſils, Montroſe, Lothian, the Lords Lindeſey, Loudon, Yeſter, Balmerino, diſtinguiſhed themſelves in that party. Many Scots officers had acquired reputation in the German wars, particularly under Guſtavus; and theſe were invited over to aſſiſt their country in her preſent neceſſity. The command was entruſted to Leſly, a ſoldier of experience and ability. Forces were regularly inliſted and diſciplined. Arms were commiſſioned and imported from foreign countries. A few caſtles, which belonged to the King, being unprovided of victuals, ammunition, and garriſons, were ſoon ſeized. And the whole country, except a ſmall part, where the Marqueſs of Huntley ſtill adhered to the King, being in the covenanters hands, was, in a very little time, put into a tolerable poſture of defence †. War.

The fortifications of Leith were begun and carried on with great rapidity. Beſides the inferior ſort, and thoſe who laboured for pay, incredible numbers of volunteers, even noblemen and gentlemen, put their hand to the work, and deemed the moſt abject employment to be dignified by the ſanctity of the cauſe. Women too, of rank and condition, forgetting the delicacy of their ſex, and the decorum of their character, were intermingled with the loweſt rabble; and carried, on their ſhoulders, the rubbiſh, requiſite for compleating the fortifications ‡.

We muſt not omit another auxiliary of the covenanters, and no inconſiderable one; a propheteſs, who was much followed and admired by all ranks of people.

* Mem. d'Eſtrades, vol. i. † May, p. 49. ‡ Guthry's Mem. p. 46.

Chap. IV. 1639. Her name was Michelſon, a woman full of whimſies, partly hyſterical, partly religious; and inflamed with a zealous concern for the eccleſiaſtical diſcipline of the preſbyterians. She ſpoke only at certain times, and had often interruptions of days and weeks: But when ſhe began to renew her ecſtaſies, warning of the happy event was conveyed over the whole country, thouſands crowded about her houſe, and every word, which ſhe uttered, was received with veneration, as the moſt ſacred oracles. The covenant was her perpetual theme. The true, genuine covenant, ſhe ſaid, was ratified in heaven: The King's covenant was an invention of Satan: When ſhe ſpoke of Chriſt, ſhe commonly called him by the name of the covenanting Jeſus. Rollo, a popular preacher, and zealous covenanter, was her great favourite; and payed her, on his part, no leſs veneration. Being deſired by the ſpectators to pray with her, and ſpeak to her, he anſwered; "That he "durſt not, and that it would be ill manners in him to ſpeak, while his maſter "Chriſt was ſpeaking in her *."

CHARLES had agreed to reduce epiſcopal authority ſo much, that it would no longer have been of any ſervice to ſupport the crown; and this ſacrifice of his own intereſt he was willing to make, in order to obtain public peace and tranquillity. But he could not conſent entirely to aboliſh an order, which he eſteemed as eſſential to the being of a chriſtian church, as his Scots ſubjects thought it incompatible with that ſacred inſtitution. This narrowneſs of mind, if we would be impartial, we muſt either blame or excuſe equally on both ſides; and thereby anticipate, by a little reflection, that judgment, which time, by introducing new ſubjects of controverſy, will undoubtedly render quite familiar to poſterity.

So great was Charles's averſion to violent and ſanguinary meaſures, and ſo ſtrong his affection to his native kingdom, that, it is probable, the conteſt in his breaſt would be nearly equal between theſe laudable paſſions, and his attachment to the hierarchy. The latter affection, however, prevailed for the time, and made him haſten thoſe military preparations, which he had projected for ſubduing the refractory ſpirit of the Scots nation. By regular œconomy, he had not only paid all the debts contracted during the Spaniſh and French wars; but had amaſſed a ſum of 200,000 pounds, which he reſerved for any ſudden exigency. The Queen had great intereſt with the catholics, both from the ſympathy of religion, and from the favours and indulgences, which ſhe had been able to procure them. She now employed her credit, and perſuaded them, that it was reaſonable to give large contributions, as a mark of their duty to the King, during this urgent neceſſity †. A conſiderable ſupply was gained by this means; to the great ſcandal of the puritans, who were mightily offended at ſeeing the King

* King's Declaration at large, p. 227. Burnet's Memoirs of Hamilton.

† Ruſhw. vol. iii. p. 1329. Franklyn, p. 767.

on

on ſuch good terms with the papiſts, and repined, that others ſhould give what they themſelves were diſpoſed to refuſe him. Chap. IV. 1639.

CHARLES's fleet was formidable and well ſupplied. Having put 5000 land-forces on board, he entruſted it to the Marqueſs of Hamilton, who had orders to ſail to the frith of Forth, and to cauſe a diverſion in the forces of the malecontents. An army was levied of near 20,000 foot, and above 3000 horſe, and was put under the command of the Earl of Arundel, a Nobleman of great family, but celebrated neither for military nor political abilities. The Earl of Eſſex, a man of ſtrict honour, and extremely popular, eſpecially among the ſoldiery, was appointed lieutenant-general: The Earl of Holland was general of the horſe. The King himſelf joined the army, and he ſummoned all the peers of England to attend him. The whole had the appearance of a ſplendid court, rather than of a military armament; and in this ſituation, carrying more ſhow than real force with it, the camp arrived at Berwick *. 29th May.

THE Scots army was as numerous as that of the King, but inferior in cavalry: The officers had more reputation and experience; and the ſoldiers, tho' undiſciplined and ill armed, were animated, as well by the national averſion to England and the dread of becoming a province to their old enemy, as by an unſurmountable fervour of religion. The pulpits had extremely aſſiſted the officers in levying recruits, and had thundered out anathemas upon all thoſe *who went not out to aſſiſt the Lord againſt the mighty* †. Yet ſo prudent were the leaders of the malecontents, that they immediately ſent very ſubmiſſive meſſages to the King, and craved leave to be admitted to a treaty.

CHARLES knew, that the force of the covenanters was conſiderable, their ſpirits high, their zeal furious; and as they were not yet daunted by any ill ſucceſs, no reaſonable terms could be expected from them. With regard therefore to a treaty, great difficulties occurred on both ſides. Should he ſubmit to the pretenſions of the malecontents; beſides that the prelacy muſt be ſacrificed to their religious prejudices; ſuch a check would be given to regal authority, which had, very lately, and with much difficulty, been thoroughly eſtabliſhed in Scotland, that he muſt expect, for ever after, to retain, in that kingdom, no more than the appearance of majeſty. The great men, having proved, by ſo ſenſible a trial, the impotence of law and prerogative, would return to their former licentiouſneſs: The preachers would retain their innate arrogance: And the people, unprotected by juſtice, would recognize no other authority, than that which they found to domineer over them. England alſo, it was much to be feared, would imitate ſo bad an example; and having already a ſtrong propenſity towards republican and puritanical factions, would expect, by the ſame ſeditious practices,

* Clarendon, vol. i. p. 115, 116, 117. † Burnet's Memoirs of Hamilton.

Chap. IV. 1639. to attain the ſame indulgence. To advance ſo far, without bringing the rebels to a total ſubmiſſion, at leaſt to reaſonable conceſſions, was to promiſe them, in all future time, an impunity for rebellion.

On the other hand, Charles conſidered, that Scotland was never before, under any of his anceſtors, ſo united, and ſo animated in its own defence; and yet had often been able to foil or elude the force of England, combined heartily in one cauſe, and enured by long practice to the uſe of arms. How much greater difficulty ſhould he find, at preſent, to ſubdue by violence a people, enflamed with religious prejudices; while he could only oppoſe to them a nation, enervated by long peace, and lukewarm in his ſervice; or what was more to be feared, many of them engaged in the ſame party with the enemy *. Should the war be only protracted beyond a ſummer; (and who could expect to finiſh it in that period?) his treaſure would fail him, and, for ſupply, he muſt have recourſe to an Engliſh parliament, whom, by fatal experience, he had ever found more ready to encroach on the prerogatives, than to aid the neceſſities, of the crown. And what if he receive a defeat from the rebel army? This misfortune was far from impoſſible. They were engaged in a national cauſe, and ſtrongly actuated by miſtaken principles. His army was retained entirely by pay, and looked on the quarrel with the ſame indifference, which naturally belongs to mercenary troops, without poſſeſſing the diſcipline, by which ſuch troops are commonly diſtinguiſhed. And the conſequences of a defeat, while Scotland was enraged and England diſcontented, were ſo dreadful, that no motives ſhould perſuade him to venture it.

It is evident, that Charles, by miſtakes and overſights, had brought himſelf to ſuch a ſituation, that, whatever ſide he embraced, his errors muſt be dangerous: No wonder, therefore, he was in great perplexity. But he did infinitely worſe, than embrace the worſt party: For, properly ſpeaking, he embraced no party at all. He concluded a ſudden pacification, in which it was ſtipulated, That he ſhould withdraw his fleet and army; that, within eight and forty hours, the Scots ſhould diſmiſs their forces; that the King's forts ſhould be reſtored to him; his authority acknowledged; and a general aſſembly and a parliament be immediately ſummoned, in order to compoſe all differences †. What were the *reaſons*, which engaged the King to admit ſuch ſtrange articles of peace, it is in vain to enquire: For there could be none. The *cauſes* of that event may admit of a more eaſy explication.

The malecontents had been very induſtrious, in repreſenting to the Engliſh, the grievances under which Scotland laboured, and the ill councils, which had been ſuggeſted to their ſovereign. Their liberties, they ſaid, were invaded:

* Ruſhw. vol. iii. p. 936. † Ruſhw. vol. iii. p. 945.

The

Chap. IV. 1637.

The prerogatives of the crown extended beyond all former precedent: Illegal courts erected: The hierarchy exalted at the expence of national privileges: And ſo many new ſuperſtitions introduced by the haughty tyrannical prelates, as begot a juſt ſuſpicion, that a project was ſeriouſly formed for the reſtoration of popery. The King's conduct, ſurely, in Scotland, had been, in every thing, except in eſtabliſhing the eccleſiaſtical canons, more legal and juſtifiable, than in England; yet was there ſuch a general reſemblance in the complaints of both kingdoms, that the Engliſh readily aſſented to all the repreſentations of the Scots malecontents, and believed that nation to have been driven, by oppreſſion, into the violent councils, which they had embraced. So far, therefore, from being willing to ſecond the King in ſubduing the free ſpirits of the Scots; they rather pitied that unhappy people, who had been reduced to thoſe extremities: And they thought, that the example of ſuch neighbours, as well as their aſſiſtance, might, ſome time, be advantageous to England, and encourage her to recover, by a vigorous effort, her violated laws and liberties. The gentry and nobility, who, without attachment to the court, without command in the army, attended in great numbers the Engliſh camp, greedily ſeized, and propagated, and gave authority to theſe ſentiments: A retreat, very little honourable, which the Earl of Holland, with a conſiderable detachment of the Engliſh forces, had made before a detachment of the Scots, cauſed all theſe humours to blaze up at once: And the King, whoſe character was not ſufficiently vigorous nor deciſive, and who was apt, from facility, to embrace haſty councils, ſuddenly aſſented to a meaſure, which was recommended by all about him, and which favoured his natural propenſion towards the miſguided ſubjects of his native kingdom *.

CHARLES, having ſo far advanced in pacific meaſures, ought, with a ſteddy reſolution, to have proſecuted them, and have ſubmitted to every tolerable condition, demanded by the aſſembly and parliament; nor ſhould he have recommenced hoſtilities, but on account of ſuch enormous and unexpected pretenſions, as would have juſtified his cauſe, if poſſible, to the whole Engliſh nation. So far, indeed, he adopted this plan, that he agreed, not only to confirm his former conceſſions, of abrogating the canons, the liturgy, the high commiſſion, and the articles of Perth; but alſo to aboliſh the order itſelf of biſhops, for which he had ſo zealouſly contended †. But this conceſſion was gained by the utmoſt violence, which he could impoſe on his diſpoſition and prejudices: He even ſecretly retained an intention of ſeizing favourable opportunities, in order to recover the ground, which he had loſt ‡: And one ſtep farther he could not prevail with himſelf to advance. The aſſembly, when it met, paid not due deference to the

August 17th.

* Clarendon, vol. i. p. 122, 123. May, p. 46.
† Ruſhw. vol. iii. p. 946.
‡ Burnet's Mem. p. 154. Ruſhw. vol. iii. p. 951.

King's

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King's prepoſſeſſions, but gave full indulgence to their own. They voted epiſcopacy to be unlawful in the church of Scotland: He was willing to allow it contrary to the conſtitutions of that church. They ſtigmatiſed the liturgy and canons, as popiſh: He agreed ſimply to aboliſh them. They denominated the high commiſſion, tyranny: He was content to ſet it aſide *. The parliament, which ſat after the aſſembly, advanced pretenſions, which tended to diminiſh the civil power of the monarch; and what probably affected Charles much more, they were proceeding to ratify the acts of aſſembly, when, † by the King's inſtructions, Traquaire, the commiſſioner, prorogued them. And on account of theſe claims, which might eaſily have been foreſeen, was the war renewed; with great advantages on the ſide of the covenanters, and diſadvantages on that of the King.

War renewed.

No ſooner had Charles concluded the pacification without conditions, than the neceſſity of his affairs, and his want of money, obliged him to diſband his army; and, as they had been held together ſolely by mercenary views, it was not poſſible, without great trouble, and expence, and loſs of time, again to aſſemble them. The more prudent covenanters had concluded, that their pretenſions being ſo contrary to the intereſt, and ſtill more to the inclinations, of the King, it was likely, that they ſhould again be obliged to ſupport their cauſe by arms; and they were therefore careful, in diſmiſſing their troops, to preſerve nothing but the appearance of a pacific diſpoſition. The officers had orders to be ready on the firſt ſummons: The ſoldiers were warned not to think the nation ſecure from an Engliſh invaſion: And the religious zeal, which animated all ranks of men, made them immediately fly to their ſtandards, ſo ſoon as the trumpet was ſounded by their ſpiritual and temporal leaders. The credit, which, in their laſt expedition, they had acquired, by obliging their ſovereign to depart from all his pretenſions, gave courage to every one, in undertaking this new enterprize ‡.

1640.

THE King, with great difficulty, made ſhift to draw together an army: But ſoon found, that, all ſavings being gone, and great debts contracted, his revenues would be inſufficient to ſupport them. An Engliſh parliament, therefore, formerly ſo unkind and untractable, muſt now, after above eleven years intermiſſion, after trying many irregular methods of taxation, after multiplied diſguſts given to the puritanical party, be ſummoned to aſſemble, amidſt the moſt preſſing neceſſities of the crown.

April 13th.

4th Engliſh parliament.

THE Earl of Traquaire had intercepted a letter, wrote to the King of France by the Scots malecontents; and had conveyed this letter to the King. Charles,

* Ruſhw. vol. iii. p. 958, &c. † Ruſhw. vol. iii. p. 955.
‡ Clarendon, vol. i. p. 125. Ruſhw. vol. iii. p. 1023.

partly

partly repenting of the large conceſſions which he had made to the Scots, partly diſguſted at their freſh inſolences and pretenſions, ſeized this opportunity of breaking with them. He had thrown into the Tower, the Lord Loudon, commiſſioner from the covenanters; one of the perſons who had ſigned the treaſonable letter *. And he now laid the matter before the parliament, whom he hoped to inflame by the reſentment, and alarm by the danger, of this application to a foreign power. By the mouth of the Lord keeper, Finch, he diſcovered his wants, and informed them, that he had been able to aſſemble his army, and to ſubſiſt them, not by any revenue which he poſſeſſed, but by means of a large debt of above 300,000 pounds, which he had contracted, and for which he had given ſecurity upon the crown-lands. He repreſented, That it was neceſſary to grant ſupplies for the immediate and urgent demands of his military armaments: That the ſeaſon was far advanced, the time precious, and none of it muſt be loſt in deliberation: That tho' his coffers were empty, they had not been exhauſted by unneceſſary pomp, or ſumptuous buildings, or any other kind of magnificence: That whatever ſupplies had been levied from his ſubjects, had been employed for their advantage and preſervation, and like vapours riſing out of the earth, and gathered into a cloud, had fallen in ſweet and refreſhing ſhowers on the ſame fields from which they had, at firſt, been exhaled: That tho' he deſired ſuch immediate aſſiſtance as might prevent, for the time, a total diſorder in the government, he was far from any intention of precluding them of their right to inquire into the ſtate of the kingdom, and to offer him petitions for the redreſs of their grievances: That as much as was poſſible of this ſeaſon ſhould be afterwards allowed them for that purpoſe: That as he expected only ſuch ſupply at preſent as the current ſervice neceſſarily required, it would be neceſſary to aſſemble them again next winter, when they ſhould have full leiſure to conclude whatever buſineſs had, this ſeaſon, been left imperfect and unfiniſhed: That the parliament of Ireland had twice put ſuch truſt in his good intentions as to grant him, in the beginning of the ſeſſion, a very large ſupply, and had ever experienced good effects from the confidence repoſed in him: And that, in every circumſtance, his people ſhould find his conduct ſuitable to a juſt, pious, and gracious King, and ſuch as was calculated to promote an intire harmony between prince and parliament †. Chap. IV. 1640.

However plauſible theſe topics, they made ſmall impreſſion on the houſe of commons. By ſome illegal, and ſeveral ſuſpicious and imprudent meaſures of the crown, and by the courageous oppoſition, which particular perſons, amidſt dangers and hardſhips, had made to them; the minds of men, throughout the nati-

* Clarendon, vol. i. p. 129. Ruſhw. vol. iii. p. 956. May, p. 56.
† Ruſhw. vol. iii. p. 1114.

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on, had taken ſuch a turn as to aſcribe every honour to the refractory oppoſers of the King and the miniſters. Theſe were the only patriots, the only lovers of their country, the only heroes, and, perhaps too, the only true Chriſtians. A reaſonable compliance with the court, was ſlaviſh dependance; a regard to the King, ſervile flattery; a confidence in his promiſes, ſhameful proſtitution. This general caſt of thought, which has, more or leſs, prevailed in England, during near a century and a half, and which has been the cauſe of much good and much ill in public affairs, never predominated more than during the reign of Charles. The preſent houſe of commons, being compoſed intirely of country-gentlemen, who came into parliament with all their native prejudices about them, could not fail to contain a majority of theſe ſtubborn patriots.

AFFAIRS likewiſe, by means of the Scots inſurrection, and the general diſcontents in England, were drawing ſo near a criſis, that the leaders of the houſe, ſagacious and penetrating, began to foreſee the conſequences, and to hope, that the time, ſo long wiſhed for, was now come, when royal authority muſt fall into a total ſubordination on popular aſſemblies, and when public liberty muſt acquire a full aſcendant. By reducing the crown to neceſſities, they had hitherto found, that the King had been puſhed into violent councils, which had ſerved extremely the purpoſes of his adverſaries: And by multiplying theſe neceſſities, it was foreſeen, that his prerogative, undermined on all ſides, muſt, at laſt, be overthrown, and be no longer dangerous to the privileges of the people. Whatever, therefore, tended to compoſe the differences between King and parliament, and to preſerve the government uniformly in its preſent channel, was zealouſly oppoſed by theſe popular leaders; and their paſt conduct and ſufferings gave them credit ſufficient to effect all their purpoſes.

'TIS the ſituation which decides chiefly of the fortunes and characters of men. The King, it muſt be owned, tho' praiſeworthy in many reſpects, was not endowed with that maſterly genius, which might enable him to obſerve, in their infancy, the changes that aroſe in national manners, and know how to accommodate his conduct to them. He had not perceived, that his beſt policy was not, by oppoſition, much leſs by invaſions and encroachments, to enrage the republican ſpirit of the people; but that he ought, by gently departing from ſome branches of his hereditary authority, to endeavour, as far as poſſible, to preſerve the reſt from the inroads of his jealous ſubjects. Still tenacious of his prerogative, he found, that he could not preſerve the old claims of the crown without aſſuming new ones: A principle ſimilar to that which many of his ſubjects ſeem to have formed with regard to the liberties of the people.

THE houſe of commons, therefore, moved by theſe and many other obvious reaſons, inſtead of taking notice of the king's complaints againſt his Scots ſubjects, or his applications for ſupply, entered immediately upon grievances; and

a ſpeech, which Pym made them on that ſubject, was much more hearkened to, than that which the Lord keeper had delivered them in the name of their ſovereign. The ſubject of Pym's harangue has been ſufficiently explained above; where we gave an account of all the grievances, imaginary in the church, more real in the ſtate, of which the nation, at that time, ſo loudly complained *. The houſe began with examining the behaviour of the ſpeaker the laſt day of the former parliament; when he refuſed, on account of the King's command, to put the queſtion: And they declared it a breach of privilege. They proceeded next to enquire into the impriſonment and proſecution of Sir John Elliot, Hollis, and Valentine †: The affair of ſhip-money was canvaſſed: And plentiful ſubject of inquiry was ſuggeſted on all hands. Grievances were regularly claſſed under three heads; thoſe with regard to the privileges of parliament, the property of the ſubject, and religion ‡. The King, ſeeing a large and inexhauſtible field opened, preſſed them again for ſupply; and finding his meſſage ineffectual, he came to the houſe of peers, and deſired their good offices with the commons. The peers were very ſenſible of the King's urgent neceſſities; and thought, that ſupplies, on this occaſion, ought, both in reaſon and in decency, to go before grievances. They ventured to repreſent their ſenſe of the matter to the commons; but their interceſſion did harm. The commons had always claimed, as their peculiar province, the granting ſupplies; and, tho' the peers had gone no farther than offering advice, they immediately thought proper to vote ſo unuſual and unprecedented an interpoſition to be a breach of privilege §. Charles, in order to bring the matter of ſupply to ſome iſſue, ſolicited the houſe with new meſſages: And finding, that the buſineſs of ſhip-money gave great alarm and diſguſt; beſides informing them, that he never intended to make a conſtant revenue of it, that all the money levied had been regularly, with other great ſums, expended on equipping the navy; he now went ſo far as to offer them intirely to aboliſh that impoſition, by any law which the commons ſhould think proper to preſent to him. In return, he asked only for his urgent neceſſities, a ſupply of twelve ſubſidies, about 600,000 pounds, and that payable in three years; but, at the ſame time, he let them know, that conſidering the ſituation of his affairs, a delay would be equivalent to a denial ‖. The King, tho' the majority was againſt him, never had more friends in any houſe of commons; and the debate was carried on for two days, with great zeal and warmth on both ſides.

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It was urged by the partizans of the court, That the happieſt occaſion, which the fondeſt wiſhes could ſuggeſt, was now preſented, of compoſing all diſguſts

* Clarendon, vol. i. p. 133. Ruſhw. vol. iii. p. 1131. May, p. 60. † Ruſhw. vol. iii. p. 1136. ‡ Ruſhw. vol. iii. p. 1147. § Clarendon, vol. i. p. 134.
‖ Clarendon, vol. i. p. 135. Ruſhw. vol. iii. p. 1154.

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and jealouſies between King and people, and of reconciling their ſovereign, for ever, to the uſe of parliaments. That if they, on their part, laid aſide all enormous claims and pretenſions, and provided, in a reaſonable manner, for the public neceſſities; they needed entertain no ſuſpicion of any inſatiable ambition or illegal uſurpation in the crown. That tho' due regard had not always been paid, during this reign, to the rights of the people, yet no invaſion of them had been altogether deliberate and voluntary; much leſs, the reſult of wanton tyranny and injuſtice; and ſtill leſs, of a formed deſign to ſubvert the conſtitution. That to repoſe a reaſonable confidence in the King, and generouſly ſupply his preſent wants, which proceeded neither from prodigality nor miſconduct, would be the true way to gain on his generous nature, and to extort, by a gentle violence, ſuch conceſſions as were requiſite for the eſtabliſhment of public liberty. That he had promiſed, not only on the word of a prince, but alſo on that of a gentleman (the expreſſion which he had been pleaſed to uſe) that, after the ſupply was granted, the parliament ſhould ſtill have liberty to continue their deliberations: Could it be ſuſpected, that any man, any prince, much leſs ſuch a one, whoſe word was, as yet, ſacred and inviolate, would, for ſo ſmall a motive, forfeit his honour, and, with it, all future truſt and confidence, by breaking a promiſe, ſo public and ſo ſolemn? That even if the parliament ſhould be deceived in repoſing this confidence in him, they neither loſt any thing, nor incurred any danger; ſince it was evidently neceſſary, for the ſecurity of public peace, to ſupply him with money, in order to ſuppreſs the Scots rebellion. That he had ſo far ſuited his firſt demands to their prejudices, that he only aſked a ſupply for a few months, and was willing, after ſo ſhort a truſt, to fall again into dependance, and to truſt them for his farther ſupport and ſubſiſtence. That if he now ſeemed to deſire ſomething farther, he alſo made them, in return, a conſiderable offer, and was willing, for the future, to depend on them for a revenue, which was quite requiſite for public honour and ſecurity. That the nature of the Engliſh conſtitution ſuppoſed a mutual confidence between King and parliament: And if they ſhould refuſe it on their part, eſpecially with circumſtances of ſuch outrage and indignity; what could be expected but a total diſſolution of government, and violent factions, followed by the moſt dangerous convulſions and inteſtine diſorders?

In oppoſition to theſe arguments, it was urged by the malecontent party, That the court had diſcovered, on their ſide, but few ſymptoms of that mutual truſt and confidence, to which they now ſo kindly invited the commons. That eleven years intermiſſion of parliaments, the longeſt which was to be found in the Engliſh annals, was a ſufficient indication of the jealouſy entertained againſt the people; or rather of deſigns formed for the ſuppreſſion of all their liberties and privileges. That the miniſters might well plead neceſſity; nor could any thing,

indeed, be a ſtronger proof of ſome invincible neceſſity, than their embracing a meaſure, for which they had conceived ſo violent an averſion, as the aſſembling of an Engliſh parliament. That this neceſſity, however, was purely miniſterial, not national: And if the ſame grievances, eccleſiaſtical and civil, under which this nation itſelf laboured, had puſhed the Scots to extremities; was it requiſite, that the Engliſh ſhould forge their own chains, by impoſing chains on their unhappy neighbours? That the antient practice of parliaments was to give grievances the precedency of ſupply; and that this order, ſo carefully obſerved by their anceſtors, was founded on a jealouſy inherent in the conſtitution, and was never interpreted as any particular diffidence of the preſent ſovereign. That a practice, which had been upheld, during times the moſt favourable to liberty, could not, in common prudence, be departed from, where ſuch undeniable reaſons for ſuſpicion had been afforded. That it was ridiculous to plead the advanced ſeaſon, and the urgent occaſion for ſupply; when it plainly appeared, that, in order to afford a pretence for this topic, and to ſeduce the commons, great political contrivance had been employed. That the writs for elections were iſſued early in the winter; and if the meeting of the parliament had not purpoſely been delayed, till ſo near the commencement of military operations, there had been leiſure ſufficient to have redreſſed all national grievances, and to have proceeded afterwards to an examination of the King's occaſion for ſupply †. That the intention of ſo groſs an artifice was to engage the commons, under pretence of neceſſity, to violate the regular order of parliament; and a precedent of that kind being once eſtabliſhed, no inquiry into public meaſures would afterwards be permitted. That ſcarce any argument, more unfavourable, could be pleaded for ſupply, than an offer to aboliſh ſhip-money; a taxation, the moſt illegal and the moſt dangerous, which had ever, in any reign, been impoſed upon the nation. And that, by bargaining for the remiſſion of that duty, the commons would, in a manner, ratify the authority, by which it had been levied; or, at leaſt, give encouragement for advancing new pretenſions of a like nature, in hopes of reſigning them on like advantageous conditions.

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THESE reaſons, joined to ſo many occaſions of ill humour, ſeemed to ſway with the greater number: But to make the matter worſe, Sir Harry Vane, the ſecretary, told the commons, without any authority from the King, that nothing leſs than twelve ſubſidies would be accepted as a recompence for the abolition of ſhip-money. This aſſertion, proceeding from the indiſcretion, if we are

† The reaſon probably why the King ſummoned a parliament ſo late, was, that he was reſolved to try, whether this houſe of commons would be more compliant than their predeceſſors, and grant him ſupply on any reaſonable terms. The urgency of the occaſion and the little time allowed for debate were motives and reaſons, which he reſerved againſt the malecontents in the houſe. He would not truſt them with a long ſeſſions, till he had ſeen ſome better proofs of their compliance: A ſentiment natural enough in his ſituation.

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not rather to call it, the treachery of Vane, diſpleaſed the houſe, by ſhowing a ſtiffneſs and rigidity in the King, which, in a claim ſo ill grounded, was deemed inexcuſable *. We are informed likewiſe, that ſome men, who were thought to underſtand the ſtate of the nation, affirmed in the houſe, that the amount of twelve ſubſidies was a greater ſum then could be found in all England. Such were the happy ignorance and inexperience of thoſe times, with regard to taxes! †

THE King was in great doubt and perplexity. He ſaw, that his friends in the houſe, were out-numbered by his enemies, and that the ſame councils were ſtill prevalent, which had ever bred ſuch oppoſition and diſturbance. Inſtead of hoping, that any ſupply would be given him, to carry on war againſt the Scots, whom the majority of the houſe regarded as their beſt friends and firmeſt allies; he expected every day, that they would preſent him an addreſs for making peace with thoſe rebels. And if the houſe met again, a vote, he was informed, would certainly paſs, to blaſt his revenue of ſhip-money; and thereby renew all the oppoſition, which, with ſo much difficulty, he had ſurmounted, in levying that taxation. Where great evils lie on all ſides, it is very difficult to follow the beſt councils; nor is it any wonder, that the King, whoſe capacity was not equal to ſituations of ſuch extreme delicacy, ſhould haſtily have formed and executed a reſolution of diſſolving this parliament: A meaſure, however of which he ſoon after repented, and which the ſubſequent events, more than any convincing reaſon, inclined every one to condemn. The laſt parliament, which had ended with ſuch rigour and violence, had yet, at firſt, covered their intentions with a greater appearance of moderation than this parliament had hitherto aſſumed.

Diſſolution.

AN abrupt and violent diſſolution muſt neceſſarily excite great diſcontents among the people, who uſually put intire confidence in their repreſentatives, and expect from them the redreſs of all grievances. As if there were not already ſufficient grounds of complaint, the King perſevered ſtill in thoſe councils, which, from experience, he might have been ſenſible, were ſo dangerous and unpopular. Bellaſis and Sir John Hotham were ſummoned before the council; and refuſing to give any account of their conduct in parliament, were committed to priſon. All the petitions and complaints, which had been ſent to the committee of religion, were demanded from Crew, chairman to that committee; and on his refuſal to deliver them, he was ſent to the Tower. The ſtudies and even the pockets of the Earl of Warwick and Lord Broke, before the expiration of privilege, were ſearched, in expectation of finding treaſonable papers. Theſe acts of authority were interpreted, with ſome appearance of reaſon, to be invaſions

* Clarendon, vol. i. p. 138. † Id. p. 136.

on

on the rights of national aſſemblies *. But the King, after the firſt provocation, which he met with, never reſpected ſufficiently the privileges of the parliament; and, by his example, he farther confirmed their reſolution, when they ſhould acquire power, to pay like diſregard to the prerogatives of the crown. Chap. IV. 1640.

THO' the parliament was diſſolved, the convocation was ſtill allowed to ſit; a practice, of which, ſince the reformation, there were but few inſtances †, and which was, for that reaſon, ſuppoſed by many to be irregular. Beſides granting to the King a ſupply from the ſpirituality, and framing many canons, the convocation, jealous of like innovations with thoſe, which had taken place in Scotland, impoſed an oath on the clergy, and the graduates in the univerſities, by which every one ſwore to maintain the eſtabliſhed government of the church by archbiſhops, biſhops, deans, chapters, *&c.* ‡ Theſe ſteps, in the preſent diſcontented humour of the nation, were commonly deemed illegal; becauſe not ratified by conſent of parliament, in whom all authority was ſuppoſed to be centered. And nothing, beſides, could afford more ſubject of ridicule, than an oath, which contained an *et cætra* in the midſt of it.

THE people, who generally abhorred the convocation as much as they adored the parliament, could ſcarce be kept from inſulting and abuſing this aſſembly; and the King was obliged to give them guards, in order to protect them §. An attack too was made during the night upon Laud, in his palace of Lambeth, by above 500 perſons; and he found it neceſſary to fortify himſelf for his defence ‖. A multitude of two thouſand ſectaries entered St. Paul's, where the high commiſſion then ſat; tore down all the benches; and cried out, *No biſhops, no high commiſſion* **. All theſe inſtances of diſcontent were preſages of ſome great revolution; had the court poſſeſſed ſufficient ſkill to diſcern the danger, or ſufficient power to provide againſt it. Diſcontents in England.

IN this diſpoſition of mens minds, it was in vain, that the King iſſued a declaration, in order to convince his people of the neceſſity, which he lay under, of diſſolving the laſt parliament ††. The chief topic, on which he inſiſted, was that the commons imitated the bad example of all their predeceſſors of late years, in making continual encroachments on his authority, in cenſuring his whole adminiſtration and conduct, in diſcuſſing every circumſtance of public government, and in their indirect bargaining and contracting with their king for ſupply; as if nothing ought to be given him but what he ſhould purchaſe, either

* Ruſhworth, vol. iii. p. 1167. May, p. 61.

† There was one in 1586. See hiſtory of Archbiſhop Laud, p. 80. The authority of the convocation was indeed quite independant of the parliament, and there was no reaſon, which required the one to be diſſolved upon the diſſolution of the other.

‡ Whitlocke, p. 33. § Whitlocke, p. 33. ‖ Dudgale, p. 62. Clarendon, vol. i. p. 143. ** Dudgale, p. 65. †† Ruſhworth, vol. iii. p. 1166.

by

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by quitting ſomewhat of his royal prerogative, or by diminiſhing and leſſening his ſtanding revenue. Theſe practices, he ſaid, were contrary to the maxims of their anceſtors; and theſe practices were totally incompatible with monarchy *.

THE

* IT muſt be confeſſed, that the King here touched upon that circumſtance in the Engliſh conſtitution, which it is moſt difficult, or rather altogether impoſſible, to regulate by laws, and which muſt be governed by certain delicate ideas of propriety and decency, rather than by any exact rule or preſcription. To deny the parliament all right of remonſtrating againſt what they eſteem grievances, were to reduce that aſſembly to a total inſignificancy, and to deprive the people of every advantage, which they could reap from popular councils. To complain of the parliament's employing the power of taxations, as the means of extorting conceſſions from their ſovereign, were to expect, that they would intirely diſarm themſelves, and renounce the ſole expedient, provided by the conſtitution, for enſuring to the kingdom a juſt and legal adminiſtration. In different periods of Engliſh ſtory, there occur inſtances of their remonſtrating with their princes in the freeſt manner, and ſometimes of their refuſing ſupply, when diſguſted with any circumſtance of public conduct. 'Tis, however, certain, that this power, tho' eſſential to parliaments, may eaſily be abuſed, as well by the frequency and minuteneſs of their remonſtrances, as by their intruſion into every part of the King's councils and determinations. Under colour of advice, they may give diſguiſed orders; and in complaining of grievances, they may draw to themſelves every power of government. Whatever meaſure is embraced, without conſulting them, may be pronounced an oppreſſion of the people; and till corrected, they may refuſe the moſt neceſſary ſupplies to their indigent ſovereign. From the very nature of this parliamentary liberty, 'tis evident, that it muſt be left unbounded by law: For who can foretell, how frequently grievances may occur, or what part of adminiſtration may be affected by them? From the nature too of the human frame, it may be expected, that this liberty would be exerted in its full extent, and no branch of authority be allowed to remain unmoleſted in the hands of the prince: For, will the weak limitations of reſpect and decorum be ſufficient to reſtrain human ambition, which ſo frequently breaks thro' all the preſcriptions of law and juſtice?

BUT here it is obſervable, that the wiſdom of the Engliſh conſtitution, or rather the concurrence of accidents, has provided, in different periods, certain irregular checks to this privilege of parliament, and thereby maintained, in ſome tolerable meaſure, the dignity and authority of the crown.

IN the antient conſtitution, before the beginning of the ſeventeenth century, the meetings of parliament were precarious, and were not frequent. The ſeſſions were very ſhort; and the members had no leiſure, either to get acquainted with each other, or with public buſineſs. The ignorance of the age made men more ſubmiſſive to that authority, which governed them. And above all, the large demeſnes of the crown, with the ſmall expence of government during that period, rendered the prince almoſt independent, and taught the parliament to preſerve a great ſubmiſſion and duty towards him.

IN our preſent conſtitution, many accidents, which have rendered governments, every where, as well as in Britain, much more burthenſome than formerly, have thown into the hands of the crown the diſpoſal of a very large revenue, and have enabled the king, by the private intereſt and ambition of the members, to reſtrain the public intereſt and ambition of the body. While the oppoſition, (for we muſt ſtill have an oppoſition, open or diſguiſed) endeavours to draw every branch of adminiſtration under the cognizance of parliament, the courtiers reſerve a part to the diſpoſal of the crown; and the royal prerogative, tho' diminiſhed of its antient powers, ſtill maintains a due weight in the balance of the conſtitution.

IT

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THE King diſappointed of parliamentary ſubſidies, was obliged to have recourſe to other expedients, in order to ſupply his urgent neceſſities. The eccleſiaſtical ſubſidies ſerved him in ſome ſtead; and it ſeemed but juſt, that the clergy ſhould contribute to a war, which was, in a great meaſure, of their own raiſing *. He borrowed money from his miniſters and courtiers; and ſo much was he beloved among them, that above 300,000 pounds were ſubſcribed in a few days: Tho' nothing ſurely could be more diſagreeable to a prince, full of dignity, than to be a burthen on his friends, inſtead of being a ſupport to them. Some attempts were made towards forcing a loan from the citizens; but ſtill repelled by the ſpirit of liberty, which was now become unconquerable †. A loan of 40,000 pounds was extorted from the Spaniſh merchants, who had bullion in the Tower, expoſed to the attempts of the King. Coat and conduct-money for the ſoldiery was levied on the counties; an antient practice ‡, but ſuppoſed to be aboliſhed by the petition of right. All the pepper was bought from the Eaſt-India-company upon truſt, and ſold, at great diſcount, for ready money §. A ſcheme was propoſed for coining 2 or 300,000 pounds of baſe money ‖. Such were the extremities to which Charles was reduced. The freſh difficulties, which, amidſt the preſent diſtreſſes, were, every day, raiſed, with regard to the payment of ſhip-money,

IT was the fate of the houſe of Stuart to govern England at a period, when the former ſource of authority was already much diminiſhed, and before the latter began to flow in any tolerable abundance. Without a regular and fixed foundation, the throne continually tottered; and the prince ſat upon it anxiouſly and precariouſly. Every expedient, uſed by James and Charles, in order to ſupport their dignity, we have ſeen attended with ſenſible inconveniencies. The majeſty of the crown, derived from antient powers and prerogatives, procured reſpect; and checked the approaches of inſolent intruders: But it begot in the King ſo high an idea of his own rank and ſtation, as made him incapable of ſtooping to popular courſes, or ſubmitting, in any degree, to the controul of parliament. The alliance with the hierarchy ſtrengthened law by the ſanction of religion: But it enraged the puritanical party, and expoſed the prince to the attacks of enemies, numerous, violent, and implacable. The memory too of theſe two kings, from like cauſes, has been attended, in ſome degree, with the ſame infelicity, which purſued them during the whole courſe of their lives. Tho' it muſt be confeſſed, that their ſkill in government was not proportioned to the extreme delicacy of their ſituation; a ſufficient indulgence has not been given them, and all the blame, by ſeveral hiſtorians, has been unjuſtly thrown on *their* ſide. Their violations of law, particularly thoſe of Charles, are ſometimes tranſgreſſions of a plain limit, which was marked out to royal authority. But the encroachments of the commons, tho' leſs poſitive and determinate, are no leſs diſcernible by good judges, and were equally capable of deſtroying the juſt balance of the conſtitution. While they exerciſed the powers, tranſmitted to them, in a manner more independent, and leſs compliant, than had ever before been practiſed; the kings were, perhaps imprudently, but, as they imagined, from neceſſity, tempted to aſſume powers, which had ſcarce ever been exerciſed, or had been exerciſed in a different manner, by the crown. And from the ſhock of theſe oppoſite pretenſions, together with religious controverſy, aroſe all the factions, convulſions, and diſorders, which attended that period.

* May, p. 48. † Ruſhw. vol. iii. p. 1181. ‡ Ruſhw. vol. i. p. 168.
§ May, p. 63. ‖ Ruſhw. vol. iii. p. 1216. May, p. 63.

obliged

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obliged him to exert continual acts of authority, augmented extremely the diſcontents of the people, and increaſed his indigence and neceſſities §.

THE preſent expedients, however, enabled the King, tho' with great difficulty, to march his army, conſiſting of 19,000 foot and 2000 horſe*. The Earl of Northumberland was appointed general: The Earl of Strafford, who was called over from Ireland, lieutenant-general: Lord Conway, general of the horſe. A very ſmall fleet was thought ſufficient to ſerve the purpoſes of this expedition.

So great are the effects of zeal and unanimity, that the Scots army, tho' ſomewhat ſuperior, were ſooner ready than the King's; and advanced to the borders of England. To engage them to proceed, beſides their general knowlege of the ſecret diſcontents of that kingdom, Lord Saville had forged a letter, in the name of ſix noblemen, the moſt conſiderable of England, in which the Scots were invited to aſſiſt their neighbours, in procuring a redreſs of their grievances†. Notwithſtanding theſe warlike preparations and hoſtile attempts, the covenanters ſtill preſerved the moſt pacific and moſt ſubmiſſive language; and entered England, as they ſaid, with no other view, than to obtain acceſs to the King's preſence, and lay their humble petition at his royal feet. At Newburn upon Tyne, they were oppoſed by a detachment of 4500 men under Conway, who ſeemed reſolute to diſpute with them the paſſage of the river. The Scots firſt entreated them, with great civility, not to ſtop them in their march to their gracious ſovereign; and then attacked them with great bravery, killed ſeveral, and chaced the reſt from their ground. Such a panic ſeized the whole Engliſh army, that the forces at Newcaſtle fled immediately to Durham; and not yet thinking themſelves ſafe, they deſerted that town, and retreated into Yorkſhire‡.

20th of Aug.

28th of Aug. Rout at Newburn.

THE Scots took poſſeſſion of Newcaſtle; and tho' ſufficiently elated with their victory, they preſerved exact diſcipline, and perſevered in their reſolution of paying for every thing, in order to maintain ſtill the appearance of an amicable correſpondence with England. They alſo diſpatched meſſengers to the King, who was arrived at York; and they took care, after the advantage, which they had obtained, to redouble their expreſſions of loyalty, duty, and ſubmiſſion to his perſon, and even made apologies, full of ſorrow and contrition, for their late victory ||.

CHARLES was in a very diſtreſſed ſituation. The nation was univerſally and highly diſcontented. The army was diſcouraged, and began likewiſe to be diſcontented, both from the contagion of general diſguſt, and as an excuſe for their miſbehaviour, which they were deſirous of repreſenting rather as want of will than of courage to fight. The treaſury too was quite exhauſted, and every

§ Ruſhw. vol. iii. p. 1173. 1182. 1184. 1199, 1200. 1203, 1204.
* Ruſhw. vol. iii. p. 1279.
† Nalſon, vol. ii. p. 427.
‡ Clarendon, vol i. p. 143.
|| Ruſhw. vol. iii. p. 1255.

expedient for a ſupply had been tried to the uttermoſt. No event had happened, but what might have been foreſeen as neceſſary, or at leaſt, as very probable; yet ſuch was the King's ſituation, that no proviſion could be made, nor was even any reſolution taken, againſt ſuch an exigency. Chap. IV. 1640.

In order to prevent the advance of the Scots upon him, the King agreed to a treaty, and named ſixteen Engliſh noblemen, who met with eleven Scots commiſſioners at Rippon. The Earls of Hertford, Bedford, Saliſbury, Warwic, Eſſex, Holland, Briſtol, and Berkſhire, the Lords Kimbolton, Wharton, Dunſmore, Paget, Broke, Saville, Paulet, and Howard of Eſcric, were choſen by the King; all of them popular men, and conſequently ſuppoſed nowiſe averſe to the Scots invaſion, nor unacceptable to that nation *. Treaty at at Rippon.

An addreſs arrived from the city of London, petitioning for a parliament; the great point, to which all mens projects at this time tended †. Twelve noblemen preſented a petition to the ſame purpoſe ‡. But the King contented himſelf with ſummoning a great council of the peers to York; a meaſure which had formerly been taken in caſes of ſudden emergency, but which, at preſent, could ſerve to no manner of purpoſe. Perhaps, the King, who dreaded, above all things, the houſe of commons, and who expected no ſupply from them on any reaſonable terms, thought, that, in his preſent urgent diſtreſſes, he might be enabled to levy ſubſidies by the authority of the peers alone. But the employing, ſo long, a plea of neceſſity, which was very diſtant and doubtful, rendered it impoſſible for him to avail himſelf of a neceſſity, which was now at laſt become real, urgent, and inevitable.

By Northumberland's ſickneſs, the command of the army had devolved on Strafford. That nobleman poſſeſſed more vigour of mind than the King or any of the council. He adviſed Charles rather to put all to hazard, than ſubmit to ſuch unworthy terms as were likely to be impoſed upon him. The loſs, ſuſtained at Newburn, he ſaid, was inconſiderable; and tho' a panic had, for the time, ſeized the army, that was nothing ſtrange among new levied troops; and the Scots, being in the ſame condition, would, no doubt, be liable, in their turn, to a like accident. His opinion, therefore, was, that the King ſhould puſh forward, and attack the Scots, and bring the affair to a quick deciſion; and, if he was ever ſo unſucceſsful, nothing worſe could befal him, than what, from his inactivity, he would certainly be expoſed to ‖. To ſhow how eaſy it would be to execute this project, he ordered an aſſault to be made on ſome quarters of the Scots, and he gained an advantage over them. No ceſſation of arms had, as yet, been

* Clarendon, vol. i. p. 155. † Ruſhw. vol. iii. p. 1263.

‡ Clarendon, vol. i. p. 146. Ruſhw. vol. iii. p. 1260. May, p. 66. Warwick, p. 151.

‖ Nalſon, vol. ii. p. 5.

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agreed to, during the treaty at Rippon; yet great clamour prevailed, on account of this act of hoſtility. And when it was known, that the officer, who conducted the attack, was a papiſt, a violent outcry was raiſed againſt the King, for employing that hated ſect, in the murder of his proteſtant ſubjects *.

It may be worthy of remark, that ſeveral mutinies had ariſen among the Engliſh troops, when marching to join the army; and ſome officers had been murdered, merely on the ſuſpicion of their being papiſts †. The petition of right had aboliſhed all martial law; and by an inconvenience, which naturally attended the plan, as yet, new and unformed, of regular and rigid liberty, it was found abſolutely impoſſible for the generals to govern the army, by all the authority, which the King could legally confer upon them. The lawyers had declared, that martial law could not be exerciſed, except in the very preſence of an enemy; and becauſe it had been found neceſſary to execute a mutineer, the generals thought it adviſeable, for their ſafety, to apply for a pardon from the crown. This weakneſs, however, was carefully concealed from the army; and Lord Conway ſaid, that, if any lawyer was ſo imprudent as to diſcover the ſecret to the ſoldiers, it would be neceſſary inſtantly to refute him, and to hang the lawyer himſelf, by ſentence of a court-martial ‡.

An army new levied, undiſciplined, frightened, ſeditious, ill-paid, and governed by no proper authority, was very unfit for withſtanding a victorious and high-ſpirited enemy, and retaining in ſubjection a diſcontented and zealous nation.

24th of Sept.

Great council of the peers.

Charles, in deſpair of being able to ſtem the torrent, at laſt reſolved to yield to it: And as he foreſaw, that the great council of the peers would adviſe him to call a parliament, he told them, in his firſt ſpeech, that he had already taken that reſolution. He informed them likewiſe, that the Queen, in a letter, which ſhe had wrote to him, had very earneſtly recommended that meaſure. This good Prince, who was extremely attached to his conſort, and who paſſionately wiſhed to render her popular in the nation, forgot not, amidſt all his diſtreſs, the intereſt of his domeſtic tenderneſs ||.

In order to ſubſiſt both armies (for the King was obliged, in order to ſave the northern counties, to pay his enemies) Charles wrote to the city, deſiring a loan of 200,000 pounds. And the peers at York, whoſe authority was now much greater than that of their ſovereign, joined in the ſame requeſt §. So low was this Prince already fallen, in the eyes of his own ſubjects!

As many difficulties occurred in the negotiation with the Scots, it was propoſed to transfer the treaty from Rippon to London: A propoſal willingly em-

* Clarendon, vol. i. p. 159.
† Ruſhw. vol. iii. p. 1190, 1191, 1192, &c. May, p. 64.
‡ Ruſhw. vol. iii. p. 1199.
|| Clarendon, vol. i. p. 154. Ruſhw. vol. iii. p. 1275.
§ Ruſhw. vol. iii. p. 1279.

braced by the Scots, who were now ſure of treating with advantage, in a place, where the King, they foreſaw, would be, in a manner, a priſoner, in the midſt of his implacable enemies and their determined friends *. Chap. IV. 1640.

CHAP. V.

Meeting of the long parliament.——Strafford and Laud impeached.——Finch and Windbank fly.——Great authority of the commons.——The biſhops attacked.——Tonnage and poundage.——Triennial bill.——Strafford's trial.——Bill of attainder.——Execution of Strafford.——High-commiſſion and ſtar-chamber aboliſhed.——King's journey to Scotland.

THE cauſes of diſguſt, which, for above thirty years, had, every day, been multiplying in England, were now come to full maturity, and threatened the kingdom with ſome great revolution or convulſion. The uncertain and undefined limits of prerogative and privilege had been eagerly diſputed during that whole period; and in every controverſy between prince and people, the queſtion, however doubtful, had always been decided by each party, in favour of its own pretenſions. Too lightly moved by the appearance of neceſſity, the King had even aſſumed powers, incompatible with the principles of limited government, and had rendered it impoſſible for his moſt zealous partizans entirely to juſtify his conduct, except by topics ſo odious, that they were more fitted, in the preſent diſpoſition of mens minds, to inflame, than appeaſe, the general diſcontent. Thoſe great ſupports of public authority, law and religion, had likewiſe, by the unbounded compliance of judges and prelates, loſt much of their influence over the people; or rather, had, in a great meaſure, gone over to the ſide of faction, and authorized the ſpirit of oppoſition and rebellion. The nobility likewiſe, whom the King had no means of retaining by offices and preferments ſuitable to their rank, had been ſeized with the general diſcontent, and unwarily threw themſelves into the ſcale, which began already too much to preponderate. Senſible of ſome encroachments, which had been made by royal authority, men entertained no jealouſy of the commons, whoſe enterpriſes, for the acquiſition of power, had ever been covered with the appearance of public good, and had hitherto gone no farther than ſome diſappointed efforts and endeavours. The progreſs of the Scots malecontents reduced the crown to an entire dependance for 1640.

* Ruſhw. vol. iii. p. 1305.

ſupply:

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ſupply: Their union with the popular party in England brought great acceſſion of authority to the latter: The near proſpect of ſucceſs rouzed all the latent murmurs and pretenſions of the nation, which had hitherto been held in ſuch violent conſtraint: And the torrent of general inclination and opinion ran ſo ſtrong againſt the court, that the King was in no ſituation to refuſe any reaſonable pretenſions of the popular leaders, either for defining or limiting the powers of his prerogative. Even many exorbitant claims, in the preſent ſituation, would probably be made, and muſt neceſſarily be complied with.

THE triumph of the malecontents over the church was not yet ſo immediate or certain. Tho' the political and religious puritans mutually lent aſſiſtance to each other, there were many who joined the former, and yet declined all manner of connexion with the latter. The hierarchy had been eſtabliſhed in England ever ſince the reformation: The Romiſh church, in all ages, had carefully maintained that form of eccleſiaſtical government: The antient fathers too bore teſtimony to epiſcopal juriſdiction: And tho' parity may ſeem at firſt to have had place among chriſtian paſtors, the period, during which it prevailed, was ſo ſhort, that few undiſputed traces of it remained in hiſtory. The biſhops and their more zealous partizans inferred thence the divine indefeizable right of prelacy: Others regarded that inſtitution as venerable and uſeful: And, if the love of novelty led ſome to adopt the new rites and diſcipline of the puritans; the reverence to antiquity retained many in their attachment to the liturgy and government of the church. It behoved, therefore, the zealous innovators in parliament, to proceed with ſome caution and reſerve. By promoting all meaſures, which reduced the exorbitant powers of the crown, they hoped to diſarm the King, whom they juſtly regarded, from principle, inclination, and policy, to be the determined patron of the hierarchy. By declaiming againſt the ſuppoſed encroachments and tyranny of the prelates, they endeavoured to carry the nation, from a hatred of their perſons, to an oppoſition againſt their office and character. And when men were inliſted in party, it would not be difficult, they thought, to lead them by degrees into many meaſures, for which they formerly entertained the greateſt averſion. Tho' the new ſectaries compoſed not, at firſt, the majority of the nation, they were inflamed, as is uſual among innovators, with extreme zeal for their opinions. Their unſurmountable paſſion, diſguiſed to themſelves, as well as to others, under the appearance of holy fervours, was well qualified to make proſelytes, and to ſeize the minds of the ignorant multitude. And one furious enthuſiaſt was able, by his active induſtry, to ſurmount the indolent efforts of many ſober and reaſonable antagoniſts.

WHEN the nation, therefore, was ſo generally diſcontented, and little ſuſpicion was entertained of any deſign to ſubvert the church and monarchy; no wonder, that almoſt all elections ran in favour of thoſe, who, by their high pre-

tenſions to piety and patriotiſm, had encouraged the national prejudices. 'Tis an uſual compliment to regard the King's inclination in the choice of a ſpeaker; and Charles had intended to advance Gardiner, recorder of London, to that important truſt: But ſo little intereſt did the crown, at that time, poſſeſs in the nation, that Gardiner was diſappointed of his election, not only in London, but in every other place, where it was attempted: And the King was obliged to make the choice of ſpeaker fall on Lenthal, a lawyer of ſome character, but not ſufficiently qualified for ſo high and difficult an office *. Chap. V. 1640.

THE eager expectations of men with regard to a parliament, ſummoned at ſo critical a juncture, and during ſuch general diſcontents; a parliament, which, from the ſituation of public affairs, could not be abruptly diſſolved, and which was to execute every thing left unfiniſhed by former parliaments; theſe views, ſo important and intereſting, engaged the attendance of all the members; and the houſe of commons was never obſerved to be, from the beginning, ſo numerous and frequent. Without any interval, therefore, they entered upon buſineſs, and by unanimous conſent they immediately ſtruck a blow, which may, in a manner, be regarded as deciſive. Meeting of the long parliament. November 3.

THE Earl of Strafford was conſidered as chief miniſter of ſtate, both on account of the credit, which he poſſeſſed with his maſter, and of his own great and uncommon vigour and capacity. By a concurrence of accidents, this man laboured under the ſevere hatred of all the three nations, which compoſed the Britiſh monarchy. The Scots, whoſe authority now ran extremely high, looked on him as the capital enemy of their country, and one whoſe councils and influence they had moſt reaſon to apprehend. He had engaged the parliament of Ireland to advance large ſubſidies, in order to ſupport a war againſt them: He had levied an army of 9000 men, with which he had menaced all their weſtern coaſt: He had obliged the Scots, who lived under his government, to renounce the covenant, their national idol: He had in Ireland proclaimed the Scots covenanters rebels and traitors, even before the King had iſſued any ſuch declaration againſt them in England: And he had ever diſſuaded his maſter againſt the late treaty and ſuſpenſion of arms, which he regarded as dangerous and diſhonourable. So avowed and violent were the Scots in their reſentment of all theſe meaſures, that they had refuſed to ſend commiſſioners to treat at York, as was firſt propoſed; becauſe, they ſaid, the lieutenant of Ireland, their capital enemy, being general of the king's forces, had there the chief command and authority.

STRAFFORD, firſt as deputy, then as Lord lieutenant, had governed Ireland during eight years, with great vigilance, activity, and prudence, but with very lit-

* Clarendon, vol. i. p. 169.

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tle popularity. In a nation ſo averſe to the Engliſh government and religion, theſe very virtues were ſufficient to draw on him the public hatred. The manners too and character of this great man, tho' to all full of courteſy, and to his friends full of affection, were, at bottom, haughty, rigid, and ſevere. His authority and influence, during the time of his government, had been unlimited; but no ſooner did adverſity ſeize him, than the concealed averſion of the nation blazed up at once, and the Iriſh parliament uſed every expedient to aggravate the charge againſt him.

THE univerſal diſcontent, which prevailed in England againſt the court, was all pointed towards the earl of Strafford; tho' without any particular reaſon, but becauſe he was the miniſter of ſtate, whom the King moſt favoured and moſt truſted. His extraction was honourable, his paternal fortune conſiderable: Yet envy attended his ſudden and great elevation. And his former aſſociates in popular councils, finding, that he owed his advancement to the deſertion of their cauſe, repreſented him as the great apoſtate of the commonwealth, whom it behoved them to ſacrifice, as a victim to public juſtice.

STRAFFORD, ſenſible of the load of popular prejudices, under which he laboured, would gladly have declined attendance on the parliament; and he begged the King's permiſſion to withdraw himſelf to his government of Ireland, or at leaſt to remain at the head of the army in Yorkſhire; where many opportunities, he hoped, would offer, by reaſon of his diſtance, to elude the attacks of his enemies. But Charles, who had entire confidence in the Earl's capacity, thought, that his councils would be extremely uſeful, during the critical ſeſſion, which approached. And when Strafford ſtill inſiſted on the danger of appearing amidſt ſo many enraged enemies, the King, little apprehenſive, that his own authority was ſo ſuddenly to expire, promiſed him protection, and aſſured him, that not a hair of his head ſhould be touched by the parliament *.

11th of Nov.

No ſooner was Strafford's arrival known, than a concerted attack was made upon him in the houſe of commons. Pym, in a long, ſtudied diſcourſe, divided into many heads after his manner, enumerated all the grievances, under which the nation laboured; and, from a complication of ſuch oppreſſions, inferred, that a deliberate plan had been formed of changing intirely the frame of government, and ſubverting the ancient laws and liberties of the kingdom †. Could any thing, he ſaid, increaſe our indignation againſt ſo enormous and criminal a project, it would be to find, that, during the reign of the beſt of princes, the conſtitution had been endangered by the worſt of miniſters, and that the virtues of the King had been ſeduced by wicked and pernicious councils. We muſt inquire,

Strafford impeached.

* Whitlocke, p. 36. † Ibid.

added

added he, from what fountain theſe waters of bitterneſs flow; and tho' doubtleſs many evil counſellors will be found to have contributed their endeavours, yet is there one, who challenges the infamous pre-eminence, and who, by his courage, enterprize, and capacity, is intitled to the firſt place among theſe betrayers of their country. He is the Earl of Strafford, lieutenant of Ireland, and preſident of the council of York, who, in both places, and in all other provinces, where he has been entruſted with authority, has raiſed ample monuments of tyranny, and will appear, from a ſurvey of his actions, to be the chief promoter of every arbitrary council. Some inſtances of imperious expreſſions, as well as actions, were given by Pym; who afterwards entered into a more perſonal attack of that miniſter, and endeavoured to expoſe his whole character and manners. The auſtere genius of Strafford, occupied in the purſuits of ambition, had not rendered his breaſt altogether inacceſſible to the tender paſſions, or ſecured him from the dominion of the fair; and in that ſullen age, when the irregularities of pleaſure were more reproachful than the moſt odious crimes, theſe weakneſſes were thought worthy of being mentioned, together with his treaſons, before ſo great an aſſembly. And, upon the whole, the orator concluded, that it belonged to the houſe to provide a remedy proportionable to the diſeaſe, and to prevent the farther miſchiefs, juſtly to be apprehended from the influence which this man had acquired over the meaſures and councils of their ſovereign *. Chap. V. 1640.

Sir John Clotworthy, an Iriſh gentleman, Sir John Hotham of Yorkſhire, and many others, entered into the ſame topics: And after ſeveral hours, ſpent in bitter invective, when the doors were locked, in order to prevent all diſcovery of their purpoſe; it was moved, in conſequence of the reſolution ſecretly taken, that Strafford ſhould immediately be impeached of high treaſon. This motion was received with univerſal approbation; nor was there, in all the debate, one perſon, who offered to ſtop the torrent by any teſtimony in favour of the Earl's conduct. Lord Falkland alone, tho' known to be his enemy, modeſtly deſired the houſe to conſider, whether it would not better ſuit the gravity of their proceedings, firſt to digeſt, by a committee, many of thoſe particulars, which had been mentioned, before they ſent up an accuſation againſt him. It was ingenuouſly anſwered by Pym, That ſuch a delay might probably blaſt all their hopes, and put it out of their power to proceed any farther in the proſecution: That when Strafford ſhould learn, that ſo many of his enormities were diſcovered, his conſcience would dictate his condemnation; and ſo great was his power and credit, he would immediately procure the diſſolution of the parliament, or attempt ſome other deſperate meaſure for his own preſervation: That the commons were only accuſers, not judges; and it was the province of the peers to determine, whether

* Clarendon, vol. i. p. 172.

ſuch

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ſuch a complication of enormous crimes, in one perſon, did not amount to the higheſt crime known by the law *. Without farther debate, the accuſation was voted: Pym was choſen to carry up the impeachment: Moſt of the houſe accompanied him on ſo agreeable an errand: And Strafford, who had juſt entered the houſe of peers, and who little expected ſo ſpeedy a proſecution, was immediately, upon this general charge, ordered into cuſtody, with ſeveral ſymptoms of violent prejudice in his judges, as well as in his proſecutors.

Laud impeached.

In the inquiry concerning grievances and the cenſure of paſt meaſures, Laud could not long eſcape the ſevere ſcrutiny of the commons; who were led too, in their accuſation of that prelate, as well by their prejudices againſt his whole order, as by the extreme antipathy, which his intemperate zeal had drawn upon him. After a deliberation, which ſcarce laſted half an hour, an impeachment for high treaſon was reſolved on againſt this ſubject, the firſt, both in rank and in favour, throughout the kingdom. Tho' this incident, conſidering the example of Strafford's impeachment, and the preſent diſpoſition of the nation and parliament, needed be no ſurprize to him; yet was he betrayed into ſome paſſion, when the accuſation was preſented. *The commons themſelves*, he ſaid, *tho' his accuſers, did not believe him guilty of the crimes, with which they charged him:* An indiſcretion, which, next day, upon more mature deliberation, he deſired leave to retract; but ſo little favourable were the peers, that they refuſed him this advantage or indulgence. Laud was immediately, upon this general charge, ſequeſtered from parliament, and committed to cuſtody †.

The capital article, inſiſted on againſt theſe two great men, was the deſign, which the commons ſuppoſed to have been formed for ſubverting the laws and conſtitution of England, and introducing arbitrary and unlimited authority into the kingdom. Of all the king's miniſters, no one was ſo obnoxious in this reſpect as the Lord keeper, Finch. He it was, who, being ſpeaker in the King's third parliament, had left the chair, and refuſed to put the queſtion, when ordered by the houſe. The extrajudicial opinion of the judges in the caſe of ſhip-money had been procured by his intrigues, perſuaſions, and even menaces. In all unpopular and illegal meaſures, he was ever moſt active; and he was even believed to have declared publicly, that while he was keeper, an order of the council ſhould always with him be equivalent to a law. To appeaſe the riſing diſpleaſure of the commons, he deſired to be heard at their bar. He proſtrated himſelf with all humility before them; but this ſubmiſſion availed him nothing. An impeachment was reſolved on; and in order to eſcape their fury, he thought proper ſecretly to withdraw, and to retire into Holland. As he was not eſteemed equal to Strafford or even to Laud, either in capacity or in fidelity to his maſ-

Lord keeper Finch flies.

* Clarendon, vol. i. p. 174.

† Clarendon, vol. i. p. 177. Whitlocke, p. 38. Ruſhw. vol. iii. p. 1365.

ter;

ſter; it was generally believed, that his eſcape had been connived at by the popular leaders *. His impeachment, however, in his abſence, was carried up to the houſe of peers. Chap. V. 1640.

Sir Francis Windebank, the ſecretary, was a creature of Laud; and that was ſufficient reaſon, for his being extremely obnoxious to the commons. He was ſecretly ſuſpected too of the crime of popery; and it was known, that, from complaiſance to the queen, and indeed in compliance with the King's maxims of government, he had granted many indulgencies to catholics, and had ſigned warrants for the pardon of prieſts, and their delivery from confinement. Grimſtone, a popular member, called him in the houſe, the very pander and broker to the whore of Babylon †. Finding, that the ſcrutiny of the commons was pointing towards him, and being ſenſible, that England was no longer a place of ſafety for men of his character, he ſuddenly made his eſcape into France ‡. Secretary Windebank flies.

Thus, in a few weeks, this houſe of commons, not oppoſed or rather ſeconded by the peers, had produced ſuch a revolution in the government, that the two moſt powerful and moſt favoured miniſters of the King were thrown into the tower, and daily expected to be tried for their life: Two other miniſters had, by flight alone, ſaved themſelves from a like fate: All the King's ſervants ſaw evidently, that no protection could be given them by their maſter: A new juriſdiction was erected, in the nation; and before that tribunal all thoſe trembled, who had before exulted moſt in their credit and authority.

What rendered the power of the commons the more formidable, was the extreme prudence, with which it was conducted. Not contented with the authority, which they had acquired by attacking theſe great miniſters; they were reſolved to render the moſt conſiderable bodies of the nation obnoxious to them. Tho' the idol of the people, they determined to fortify themſelves likewiſe with terrors, and to overawe thoſe, who might ſtill be inclined to ſupport the falling ruins of monarchy. Great authority of the commons.

During the late military operations, ſeveral powers had been exerted by the lieutenants and deputy-lieutenants of the counties: And theſe powers, tho' neceſſary for the defence of the nation, and even warranted by all former precedents, yet not being authorized by ſtatute, were now voted to be illegal; and the perſons who had aſſumed them, declared *delinquents*. This term was newly come into vogue, and expreſſed a degree and ſpecies of guilt, not exactly known nor aſcertained. In conſequence of that determination, many of the nobility and prime gentry of the nation, while only exerting, as they juſtly thought, the legal powers of magiſtracy, unexpectedly found themſelves involved in the crime of delinquency. And the com-

* Clarendon, vol. i. p. 177. Whitlocke, p. 38. Ruſhw. vol. v. p. 129, 136.
† Ruſhw. vol. v. p. 122. ‡ Clarendon, vol. i. p. 178. Whitlocke, p. 37.

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mons reaped this multiplied advantage by their vote: They disarmed the crown; they established the maxims of rigid law and liberty; and they spread the terror of their own authority *.

The writs for ship-money had been directed to the sheriffs, who were required, and even obliged under severe penalties, to assess the sums upon individuals, and to levy them by their authority: Yet were all the sheriffs, and all those employed in that illegal service, voted, by a very rigorous sentence, to be delinquents. The King, by the maxims of law, could do no wrong: His ministers and servants, of whatever degree, in case of any violation of the constitution, were alone culpable †.

All the farmers and officers of the customs, who had been employed, during so many years, in levying tonnage and poundage and the new impositions, were likewise declared criminal, and were afterwards glad to compound for a pardon by paying a fine of 150,000 pounds.

Every discretionary or arbitrary sentence of the star-chamber and high commission; courts, which, from their very constitution, were arbitrary; underwent a severe scrutiny: And all those, who had any hand in such sentences, were voted to be liable to the penalties of law ‡. No minister of the King, no member of the council, but what found himself exposed by this determination.

The judges, who had given their votes against Hambden in the trial of ship-money, were accused before the peers, and obliged to find security for their appearance. Berkeley, one of the judges of the king's bench, was seized by order of the house, even when sitting in his tribunal; and all men saw with astonishment the irresistible authority of their jurisdiction §.

The sanction of the lords and commons, as well as that of the King, was declared necessary for the confirmation of all ecclesiastical canons ‖: And this judgment, it must be confessed, however reasonable, at least useful, it would have been difficult to justify by any precedent ¶. But the present was no time for question or dispute. That decision, which abolished all legislative power except that of parliament, was requisite for compleating the new plan of liberty, and rendering it quite uniform and systematical. Almost all the bench of bishops, and the most considerable of the inferior clergy, who had voted in the late convocation,

* Clarendon, vol. i. p. 176. † Clarendon, vol. i. p. 176. ‡ Clarendon, vol. i. p. 177. § Whitlocke, p. 39. ‖ Nalson, vol. i. p. 678.

¶ An act of parliament, 25th Hen. VIII. cap. 19. allowed the convocation with the King's consent to make canons. By the famous act of submission to that Prince, the clergy bound themselves to enact no canons without the King's consent. The parliament was never mentioned nor thought of. Such pretensions as the commons advanced at present, would, in any former age, have been deemed strange usurpations.

found themſelves expoſed, by theſe new principles, to the imputation of delinquency *. Chap. V. 1640.

The moſt unpopular of all Charles's meaſures, the moſt unpolitic, the moſt oppreſſive, and even, excepting ſhip-money, the moſt illegal, was the revival of monopolies, ſo ſolemnly aboliſhed, after re-iterated endeavours, by a recent act of parliament. Senſible of this unhappy meaſure, the King had, of himſelf, recalled, during the time of his firſt expedition againſt Scotland, many of theſe deſtructive patents, and the reſt were now annihilated by authority of parliament, and every one concerned in them declared delinquents. The commons carried ſo far their deteſtation of this odious meaſure, that they aſſumed a power which had formerly been ſeldom practiſed †, and expelled all their members, who were monopoliſts or projectors: An artifice, by which, beſides increaſing their own privileges, they weakened ſtill farther the very ſmall party, which the King ſecretly retained in the houſe. Mildmay, a notorious monopoliſt, yet having aſſociated himſelf with the ruling party, was ſtill allowed to keep his ſeat. In all queſtions indeed of elections, no ſteady rule of deciſion was obſerved; and nothing farther was regarded than the affections and attachment of the parties ‡. Mens paſſions were too much heated to be ſhocked with any inſtance of injuſtice, which ſerved ends ſo popular as thoſe purſued by this houſe of commons.

The whole ſovereign power being thus, in a manner, transferred to the commons, and the government, without any ſeeming violence or diſorder, changed, in a moment, from a monarchy, almoſt abſolute, to a pure democracy; the popular leaders ſeemed willing, for ſome time, to ſuſpend their active vigour, and to conſolidate their authority, ere they proceeded to any violent exerciſe of it. Every day produced ſome new harangue on paſt grievances. The deteſtation of former uſurpations, was farther enlivened: The jealouſy of liberty rouzed: And agreeable to the true ſpirit of free government, an equal indignation was excited, by the view of a violated conſtitution, as by the ravages of the moſt enormous tyranny.

Now was the time, when genius and capacity of all kinds, freed from the reſtraint of authority, and nouriſhed by unbounded hopes and projects, began to exert themſelves, and be diſtinguiſhed by the public. Then was celebrated the ſagacity of Pym, more fitted for uſe than ornament; matured, not chilled, by his advanced age and long experience: Then was diſplayed the mighty ambition of Hambden, taught diſguiſe, not moderation, from former conſtraint; ſupport-

* Clarendon, vol. i. p. 206. Whitlocke, p. 37. Ruſhw. vol. v. p. 235. 359. Nalſon, vol. i. p. 807.

† Lord Clarendon ſays it was entirely new; but there are ſome inſtances of it in the reign of Elizabeth. D'Ewes, p. 296. 352.

‡ Clarendon, vol. i. p. 176.

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ed by courage, conducted by prudence, embelliſhed by modeſty; but whether founded in a love of power or zeal for liberty, is ſtill, from his untimely end, left doubtful and uncertain: Then too were known the dark, ardent, and dangerous character of St. John; the impetuous ſpirit of Hollis, violent and ſincere, open and intire in his enmities and in his friendſhips; the enthuſiaſtic genius of young Vane, extravagant in the ends, which he purſued, ſagacious and profound in the means, which he employed; incited by the appearances of religion, negligent of the duties of morality.

So little apology would be received for paſt meaſures, ſo contagious the general ſpirit of diſcontent, that even men of the moſt moderate tempers, and the moſt attached to the church and monarchy, exerted themſelves with the utmoſt vigour in the redreſs of grievances, and in proſecuting the authors of them. The lively and animated Digby diſplayed his eloquence on this occaſion, the firm and undaunted Capel, the modeſt and candid Palmer. In this liſt too of patriot-royaliſts are found the virtuous names of Hyde and Falkland. Tho' in their ultimate views and intentions, theſe men differed widely from the former; in their preſent actions and diſcourſes, an intire concurrence and unanimity was obſerved.

By the daily harangues and invectives againſt illegal uſurpations, not only the houſe of commons inflamed themſelves with the higheſt animoſity towards the court: The nation caught new fire from the popular leaders, and ſeemed now to have made the firſt diſcovery of the many diſorders of the government. While the law, in many inſtances, ſeemed to be violated, they went no farther than ſome ſecret and calm murmurs; but mounted up into rage and fury, as ſoon as the conſtitution was thought to be reſtored to its former integrity and vigour. The capital eſpecially, being the ſeat of parliament, was highly animated with the ſpirit of mutiny and diſaffection. Tumults were daily raiſed; ſeditious aſſemblies encouraged; and every man, neglecting his own buſineſs, was wholly intent on the defence of liberty and religion. By ſtronger contagion, the popular affections were communicated from breaſt to breaſt, in this place of general rendezvous and ſociety.

The harangues of members, now firſt publiſhed and diſperſed, kept alive the diſcontents againſt the King's adminiſtration. The pulpits, delivered over to puritanical preachers and lecturers, whom the commons arbitrarily ſettled in all the conſiderable churches, reſounded with faction and fanaticiſm. Vengeance was fully taken for that long ſilence and conſtraint, in which, by the authority of Laud and the high commiſſion, theſe preachers had been retained. The preſs, freed from all fear or reſerve, ſwarmed with productions, dangerous by their ſeditious zeal and calumny, more than by any art or eloquence of compoſition.

Noiſe

Noiſe and fury, cant and hypocriſy, formed the ſole rhetoric, which, during this tumult of various prejudices and paſſions, could be heard or attended to. Chap. V. 1640.

THE ſevere ſentence, which had been executed againſt Prynne, Baſtwic, and Burton, now ſuffered a reviſal from parliament. Theſe libellers, far from being tamed by the rigorous puniſhments, which they had undergone, ſhowed ſtill a diſpoſition of repeating their offence; and the miniſters were affraid, leſt new ſatires ſhould iſſue from their priſons, and inflame ſtill farther the prevailing diſcontents. By an order, therefore, of the council, they had been removed to remote priſons; Baſtwic to Scilly, Prynne to Jerſey, Burton to Guernſey; all acceſs to them was denied; and the uſe of books, and of pen, ink and paper, was refuſed them. The ſentence for theſe additional puniſhments was immediately reverſed by the commons: Even the firſt ſentence, upon examination, was declared illegal; and the judges, who paſſed it, were ordered to make reparation to the ſufferers *. When the priſoners landed in England, they were received and entertained with the higheſt demonſtrations of affection, were attended with a mighty confluence of company, their charges were borne with great magnificence, and liberal preſents beſtowed on them. On their approach to any town, all the inhabitants crowded to receive them, and welcomed their reception with ſhouts and acclamations. Their train ſtill increaſed, as they drew near to London. Several miles from the city, the zealots of their party met them in great multitudes, and attended their triumphant entrance: Boughs were carried in this tumultuous proceſſion; the roads were ſtrowed with flowers; and amidſt the higheſt exultations of joy, were intermingled loud and virulent invectives againſt the prelates, who had ſo cruelly perſecuted ſuch godly perſonages †. The more ignoble theſe men were, the more ſenſible was the inſult upon royal authority, and the more dangerous was the ſpirit of diſaffection and mutiny, which it diſcovered among the people.

LILBURNE, Leighton, and every one, who had been puniſhed for ſeditious libels during the precedent adminiſtration, now recovered their liberty, and were decreed damages on the judges and miniſters of juſtice ‡.

NOT only the preſent diſpoſition of the nation enſured impunity to all libellers: A new method of framing and diſperſing libels was invented by the leaders of popular diſcontent. Petitions to parliament were drawn, craving redreſs againſt particular grievances; and when a ſufficient number of ſubſcriptions were procured, the petitions were preſented to the commons, and immediately publiſhed. Theſe petitions became ſecret bonds of aſſociation among the ſubſcribers, and ſeemed to give undoubted ſanction and authority to the complaints which they contained.

* Nalſon, vol. i. p. 783. May, p. 79. † Clarendon, vol. i. p. 199, 200, &c. Nalſon, vol. i. p. 570. May, p. 80. ‡ Ruſhw. vol. v. p. 228. Nalſon, vol. i. p. 800.

'TIS

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'Tis pretended by hiſtorians favourable to the royal cauſe *, and even aſſerted by the King himſelf in a declaration †, that a moſt diſingenuous or rather criminal practice prevailed, in conducting many of theſe addreſſes. A petition was firſt framed; moderate, reaſonable, ſuch as men of character willingly ſubſcribed. The names were afterwards torn off, and affixed to another petition, which ſerved better the purpoſes of the popular faction. We may judge of the wild fury, which prevailed throughout the nation, when ſo ſcandalous an impoſture, which affected ſuch numbers of people, could be openly practiſed, without drawing infamy and ruin upon the managers.

So many grievances were offered, both by the members, and by petitions without doors, that the houſe was divided into above forty committees, charged, each of them, with the examination of ſome particular violation of law and liberty, which had been complained of. Beſides the general committees of religion, trade, privileges, laws; many ſubdiviſions of theſe were framed, and a ſtrict ſcrutiny was every where carried on. 'Tis to be remarked, that, before the beginning of this century, when the parliament aſſumed leſs influence and authority, complaints of grievances were uſually preſented to the houſe, by any members, who had had particular opportunity of obſerving them. Theſe general committees, which were a kind of inquiſitorial courts, had not then been eſtabliſhed; and we find, that the King, in a former declaration ‡, complains loudly of this innovation, ſo little favourable to royal authority. But never was ſo much multiplied, as at preſent, the uſe of theſe committees; and the commons, tho' they themſelves were the greateſt innovators, employed the uſual artifice of complaining againſt innovations, and pretending to recover the antient and eſtabliſhed government.

From the reports of their committees, the houſe daily paſſed votes, which mortified and aſtoniſhed the court, and enflamed and animated the nation. Ship-money was declared illegal and arbitrary; the ſentence againſt Hambden cancelled; the court of York aboliſhed; compoſitions of knighthood ſtigmatized; the enlargement of the foreſts condemned; patents for monopolies annulled; and every late meaſure of the adminiſtration treated with reproach and obloquy. To day, a ſentence of the ſtar-chamber was exclaimed againſt: To morrow, a decree of the high commiſſion. Every diſcretionary act of council was repreſented as arbitrary and tyrannical: And the general inference was ſtill inculcated, that a formed deſign had been laid to ſubvert the laws and conſtitution of the kingdom.

From neceſſity, the King remained entirely paſſive during all theſe violent operations. The few ſervants, who continued faithful to him, were ſeized with

* Dugdale, Clarendon, vol. i. p. 203. † Huſb. Coll. p. 536.

‡ Publiſhed on diſſolving the third parliament. See Parl. Hiſt. vol. viii. p. 347.

aſtoniſh-

aſtoniſhment at the rapid progreſs made by the commons in power and popularity, and were glad, by their inactive and inoffenſive behaviour, to compound for impunity. The torrent riſing to ſo dreadful and unexpected a height, deſpair ſeized all thoſe, who, from intereſt or habit, were moſt attached to monarchy. And as for thoſe, who maintained their duty to the King, merely from their regard to the conſtitution, they ſeemed, by their concurrence, to ſwell that inundation, which began already to deluge every thing. "You have taken the whole "machine of government in pieces," ſaid Charles in a diſcourſe to the parliament; "a practice frequent with ſkiful artiſts, when they deſire to clear the "wheels from any ruſt, which may have grown upon them. The engine," continued he, "may again be reſtored to its former uſe and motions, provided it be "put up entire; ſo as not a pin of it be wanting." But this was far from the intention of the commons. The machine, they thought with ſome reaſon, was encumbered with many wheels and ſprings, which retarded and croſſed its operations, and deſtroyed its utility. Happy! had they proceeded with moderation, and been contented, in their preſent plenitude of power, to remove ſuch parts only as might juſtly be deemed ſuperfluous and incongruous. Chap. V. 1640.

In order to maintain that high authority which they had acquired, the commons, beſides confounding and overawing their opponents, judged it requiſite to inſpire courage into their friends and adherents; particularly into the Scots, and the religious puritans, to whoſe aſſiſtance and good offices they were already ſo much beholden.

No ſooner were the Scots maſters of the northern counties, than they laid aſide their firſt profeſſions, which they had not indeed means to ſupport, of paying for every thing; and in order to prevent the deſtructive expedient of plunder and free quarters, the country conſented to give them a regular contribution of 850 pounds a-day, in full of their ſubſiſtence *. The parliament, that they might relieve the northern counties from ſo grievous an oppreſſion, agreed to remit pay to the Scots, as well as to the Engliſh army; and becauſe ſubſidies would be levied too ſlowly for ſo urgent an occaſion, money was borrowed from the citizens upon the ſecurity of particular members. Two ſubſidies, a very ſmall ſum †, were at firſt voted; and as the intention of this ſupply was to indemnify the members, who, by their private, had ſupported public credit, this pretence was immediately laid hold of, and the money was ordered to be paid, not into the treaſury, but into commiſſioners appointed by parliament: A practice, which, as it diminiſhed the authority of the crown, was very willingly embraced, and was afterwards continued by the commons, with regard to every branch of revenue which they granted the King. The invaſion of the Scots had evidently

* Ruſhw. vol. iii. p. 1295. † It appears, that a ſubſidy was now fallen to 50,000 pounds.

been

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been the cauſe of aſſembling the parliament: The preſence of their army reduced the King to that total ſubjection in which he was now held: The commons, for this reaſon, very openly profeſſed their intention of retaining theſe invaders till all their enemies ſhould be ſuppreſſed, and all their purpoſes effected. *We cannot yet ſpare the Scots*, ſaid Strode plainly in the houſe; *the ſons of Zerviah are ſtill too ſtrong for us* *: An alluſion to a paſſage of Scripture, according to the mode of that age. Eighty thouſand pounds a-month were requiſite for the ſubſiſtence of the two armies; a ſum much greater than the kingdom had ever been accuſtomed, in any former period, to pay to the public. And tho' ſeveral ſubſidies, together with a poll-tax, were, from time to time, voted to anſwer the charge; the commons took care ſtill to be in debt, in order to render the continuance of the ſeſſion the more neceſſary.

THE Scots being ſuch uſeful allies to the malecontent party in England, no wonder they were courted with the moſt unlimited complaiſance and the moſt important ſervices. The King, in his firſt ſpeech, having called them *rebels*, obſerved, that he had given great offence to the parliament; and he was immediately obliged to ſoften, and even retract that expreſſion. The Scots commiſſioners, of whom the moſt conſiderable were the Earl of Rothes and Lord Loudon, found every advantage in conducting their treaty; and yet made no haſte in bringing it to an iſſue. They were lodged in the city, and kept an intimate correſpondence, as well with the magiſtrates, who were extremely diſaffected, as with the popular leaders in both houſes. St. Antholine's church was aſſigned them for their devotions; and their chaplains, here, began openly to practiſe the preſbyterian form of worſhip, which, except in foreign languages, had never hitherto been allowed any indulgence or toleration. So violent was the general propenſity towards this new religion, that multitudes of all ranks crowded into the church. Thoſe, who were ſo happy as to find acceſs early in the morning, kept their places the whole day: Thoſe, who were excluded, clung to the doors or windows, in hopes of catching, at leaſt, ſome diſtant murmurs or broken phraſes of the holy rhetoric †. All the eloquence of parliament, now well refined from pedantry, animated with the ſpirit of liberty, and employed in ſuch important intereſts, was not attended to with ſuch inſatiable avidity, as were theſe lectures, delivered with ridiculous cant, and a provincial accent, full of barbariſm and of ignorance.

THE moſt effectual expedient for paying court to the zealous Scots was to promote the preſbyterian diſcipline and worſhip throughout England; and to this innovation, the popular leaders among the commons, as well as their moſt devoted partizans, were, of themſelves, ſufficiently inclined. The puritanical par-

* Dugdale, p. 71. † Clarendon, vol. i. p. 189.

ty,

ty, whoſe progreſs, tho' ſecret, had hitherto been gradual in the kingdom, taking advantage of the preſent diſorders, began openly to profeſs their tenets, and to make furious attacks on the eſtabliſhed religion. The prevalence of that ſect in the parliament diſcovered itſelf, from the beginning, by inſenſible, but deciſive ſymptoms. Marſhall and Burgeſs, two puritanical clergymen, were choſen to preach before them, and entertained them with diſcourſes ſeven hours in length *. It being the cuſtom of the houſe always to take the ſacrament before they entered upon buſineſs, they ordered, as a neceſſary preliminary, that the communion table ſhould be removed from the eaſt end of St. Margaret's into the middle of the area †. The name of the *ſpiritual lords* was commonly left out in acts of parliament; and the laws ran in name of the king, lords, and commons. The clerk of the upper houſe, in reading bills, turned his back on the bench of biſhops; nor was his inſolence ever taken notice of. On a day appointed for a ſolemn faſt and humiliation, all the orders of temporal peers, contrary to former practice, in going to church, took place of the ſpiritual; and the lord Spencer remarked, that the humiliation, that day, ſeemed confined alone to the prelates.

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EVERY meeting of the commons produced ſome vehement harangue againſt the uſurpations of the biſhops, againſt the high commiſſion, againſt the late convocation, againſt the new canons. So diſguſted were all lovers of civil liberty at the doctrines promoted by the clergy, that theſe invectives were received without controul; and no diſtinction, at firſt, appeared between ſuch as deſired only to repreſs the exorbitances of the hierarchy, and ſuch as pretended totally to annihilate epiſcopal juriſdiction. Encouraged by theſe favourable appearances, petitions againſt the church were framed in different parts of the kingdom. The epithet of the ignorant and vicious prieſthood was commonly applied to all churchmen, addicted to the eſtabliſhed diſcipline and worſhip; tho' the epiſcopal clergy in England, during that age, ſeem to have been, as they are at preſent, ſufficiently learned and examplary. An addreſs againſt epiſcopacy was preſented by twelve clergymen to the committee of religion, and pretended to be ſigned by many hundreds of the puritanical perſuaſion. But what made moſt noiſe was the city petition for a total alteration of church government; a petition, to which 15,000 ſubſcriptions were annexed, and which was preſented by Alderman Pennington, the city-member ‡. 'Tis remarkable, that, among the many eccleſiaſtical abuſes, there complained of, an allowance, given by the licencers of books, to publiſh a tranſlation of Ovid's Art of Love, is not forgot by theſe ruſtic cenſors §.

The biſhops attacked.

NOTWITHSTANDING the favourable diſpoſition of the people, the leaders in the houſe reſolved to proceed with caution. They introduced a bill for prohibi-

* Nalſon, vol. i. p. 530. 533. † Id. p. 537. ‡ Clarendon, vol. i. p. 203. Whitlocke, p. 37. Nalſon, vol. i. p. 666. § Ruſhw. vol. v. p. 171.

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ting all clergymen the exercise of any civil office. As a consequence, the bishops were to be deprived of their seats in the house of peers; a measure not unacceptable to the zealous friends of liberty, who observed, with regret, the devoted attachment of that order to the will of the monarch. But when this bill was presented to the peers, it was rejected by a great majority *: The first check which the commons had received in their popular career, and a prognostic of what they might afterwards expect from the upper house, whose inclinations and interest could never be totally separated from the throne. But to show how little they were discouraged, the puritans immediately brought in another bill for the total abolition of episcopacy; tho' they thought proper to let that bill sleep at present, in expectation of a more favourable opportunity for reviving it †.

Among other acts of regal, executive power, which the commons were every day assuming, they issued orders for the demolishing all images, altars, crucifixes. The zealous Sir Robert Harley, to whom the execution of these orders was committed, removed all crosses even out of streets and markets; and from his abhorrence to that superstitious figure, would not any where allow two pieces of wood or stone to lie over each other at right angles ‡.

The Bishop of Ely and other clergymen were attacked on account of innovations §. Cozens, who had long been obnoxious, was exposed to new censures. This person, who was dean of Peterborough, was extremely zealous for ecclesiastical ceremonies: And so far from permitting the communicants to break the sacramental bread with their fingers; a privilege on which the puritans very strenuously insisted; he would not so much as allow it to be cut with an ordinary household instrument. A consecrated knife must perform that sacred office, and must never afterwards be profaned by any vulgar service ‖.

Cozens likewise was accused of having said, *The King has no more authority in ecclesiastical matters, than the boy who rubs my horse's heels* ⸸. The expression was violent: But 'tis certain, that all those high churchmen, who were so industrious in reducing the laity to submission, were extremely fond of their own privileges and independency, and were desirous of exempting the mitre from all subjection to the crown.

A committee was erected by the commons as a court of inquisition upon the clergy, and was commonly denominated the committee of *scandalous ministers*. The politicians among the commons were apprized of the great importance of the pulpit for guiding the people; the bigots were enraged against the prelatical clergy; and both of them knew, that no established government could be overthrown by observing strictly the principles of justice, equity, or clemency. The proceedings, therefore, of this famous committee, which continued for several

* Clarendon, vol. i. p. 237. † Id. ibid. ‡ Whitlocke, p. 45. § Rushw. vol. v. p. 351.
‖ Id. p. 203. ⸸ Parl. Hist. vol. viii. p. 282. Rushw. vol. v. p. 209.

years, were, to the laſt degree, cruel and arbitrary, and made dreadful havoc both on the church and the univerſities. They began with haraſſing, impriſoning, and moleſting the clergy; and ended with ſequeſtring and ejecting them. In order to join contumely to cruelty, they gave the ſufferers the epithet of *ſcandalous*, and endeavoured to render them as odious as they were miſerable *. The utmoſt vice, however, which they could reproach to a great part of them, were bowing at the name of Jeſus, placing the communion-table in the eaſt, reading the King's orders for ſports on Sunday, and other practices, which the eſtabliſhed government, both in church and ſtate, had ſtrictly enjoined them. Chap. V. 1640.

It may be worth obſerving, that all the hiſtorians, who lived near that age, or what perhaps is more deciſive, all authors, who have caſually made mention of thoſe public tranſactions, ſtill repreſent the civil diſorders and convulſions as proceeding from religious controverſy, and conſider the political diſputes about power and liberty as intirely ſubordinate to the other. 'Tis true, had the King been able to abſtain from all invaſion of national privileges, it is not probable, that the puritans ever could have acquired ſuch authority as to overturn the whole conſtitution: Yet ſo entire was the ſubjection into which Charles was now fallen, that, if the wound had not been poiſoned by the infuſion of theological hatred, it muſt have admitted of a very eaſy remedy. Diſuſe of parliaments, impriſonment and proſecution of members, ſhip-money, an arbitrary and illegal adminiſtration; theſe were loudly complained of: But the grievances, which tended chiefly to enflame the parliament and nation, eſpecially the latter, were, the ſurplice, the rails placed about the altar, the bows exacted on approaching it, the liturgy, the breach of the ſabbath, embroidered copes, lawn-ſleeves, the uſe of the ring in marriage, and of the croſs in baptiſm. On account of theſe, were both parties contented to throw the government into ſuch violent convulſions; and to the diſgrace of that age and of this iſland, it muſt be acknowledged, that the diſorders in Scotland intirely, and thoſe in England moſtly, proceeded from ſo mean and contemptible an origin †.

Some perſons, partial to the leaders, who now defended public liberty, have ventured to put them in balance with the moſt illuſtrious characters of antiquity; and mention the names of Pym, Hambden, Vane, as a juſt parallel to thoſe of Cato, Brutus, Caſſius. Profound capacity, indeed, undaunted courage, extenſive enterprize; in theſe particulars, perhaps the Roman do not much ſurpaſs the

* Clarendon, vol. i. p. 199. Whitlocke, p. 122. May, p. 81.

† Lord Clarendon, vol. i. 233. ſays, that the parliamentary party were not agreed about the entire abolition of epiſcopacy: They were only the *root and branch men*, as they were called, who inſiſted on that meaſure. But thoſe who were willing to retain biſhops, inſiſted on reducing their authority to a low ebb; as well as on aboliſhing the ceremonies of worſhip and veſtments of the clergy. The controverſy, therefore, between the parties was almoſt wholly theological, and that of the moſt frivolous and ridiculous kind.

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Engliſh patriots: But what a difference, when the diſcourſe, conduct, converſation, and private as well as public behaviour, of both are inſpected? Compare only one circumſtance, and conſider its conſequences. The leiſure of thoſe noble antients was totally employed in the ſtudy of Grecian eloquence and philoſophy; in the cultivation of polite letters and civilized ſociety: The whole diſcourſe and language of the moderns were polluted with myſterious jargon, and full of the loweſt and moſt vulgar hypocriſy.

THE laws, as they ſtood at preſent, protected the church; but they expoſed the catholics to the utmoſt rage of the puritans; and theſe unhappy religioniſts, ſo obnoxious to the prevailing ſect, could not hope to remain long unmoleſted. The voluntary contribution, which they had made, in order to aſſiſt the King in his war againſt the Scots covenanters, was inquired into, and repreſented as the greateſt enormity *. By an addreſs from the commons, all officers of that religion were removed from the army, and application was made to the King for ſeizing two thirds of recuſants' lands; a proportion to which, by law, he was intitled, but which he had always allowed them to poſſeſs upon very eaſy compoſitions. The ſevere and bloody laws againſt prieſts were inſiſted on: And one Goodman, a jeſuit, who was found in priſon, was condemned to a capital puniſhment. Charles however, agreeable to his uſual principles, ſcrupled to ſign the warrant for his execution; and the commons expreſſed great reſentment on that occaſion †. There remains a very ſingular petition of Goodman, begging to be hanged, rather than prove a ſource of contention between the King and his people ‡. He eſcaped with his life; but it ſeems more probable, that he was overlooked, amidſt affairs of greater conſequence, than that ſuch unrelenting hatred would be ſoftened by any conſideration of his courage and generoſity.

FOR ſome years, Con, a Scotſman; afterwards, Roſetti, an Italian, had openly reſided at London, and frequented the court, as veſted with a commiſſion from the Pope. The Queen's zeal, and her authority with her huſband, had been the cauſe of this imprudence, ſo offenſive to the nation. But the ſpirit of bigotry now roſe too high to permit any longer ſuch indulgences §.

HAYWARD, a juſtice of peace, having been wounded, when employed in the exerciſe of his office, by one James, a catholic madman, this enormity was aſcribed to the popery, not to the frenzy of the aſſaſſin; and great alarms ſeized the nation and parliament ‖. An univerſal conſpiracy of the papiſts was ſuppoſed to have taken place; and every man, for ſome days, imagined, that he had a ſword at his throat. Tho' ſome perſons of family and diſtinction were ſtill attached to the catholic ſuperſtition; 'tis certain, that the numbers of that ſect did not com-

* Ruſhw. vol. v. p. 160. † Ibid. p. 158, 159. Nalſon, vol. i. p. 739. ‡ Ruſhw. vol. v. p. 166. Nalſon, vol. i. p. 749. § Ruſhw. vol. v. p. 301. ‖ Clarendon, vol. i. p. 249. Ruſhw. vol. v. p. 57.

poſe

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poſe the fortieth part of the nation: And the frequent panics, to which men, during this period, were ſo ſubject, on account of the catholics, were leſs the effects of fear, than of extreme rage and averſion, entertained againſt them.

The Queen Mother of France, having been forced into baniſhment by ſome court-intrigues, had retired into England; and expected ſhelter, amidſt her preſent diſtreſſes, in the dominions of her daughter and ſon-in-law. But, tho' ſhe behaved in the moſt inoffenſive manner, ſhe was inſulted by the populace on account of her religion; and was even threatened with worſe treatment. The Earl of Holland, Lord Lieutenant of Middleſex, had ordered a hundred muſqueteers to guard her; but finding, that they had imbibed the ſame prejudices with the reſt of their country-men, and were very unwillingly employed in ſuch a ſervice, he laid the caſe before the houſe of peers: For the King's authority was now intirely annihilated. He repreſented the indignity of the action, that ſo great a Princeſs, mother to the King of France, and to the Queens of Spain and England, ſhould be affronted by the baſe multitude. He obſerved the indelible reproach, which would fall upon the nation, if that unfortunate Queen ſhould ſuffer any violence from the miſguided zeal of the people. He urged the ſacred rights of hoſpitality, due to every one, much more to a perſon in diſtreſs, of ſo high a rank, with whom the nation was ſo nearly connected. The peers thought proper to communicate the matter to the commons, whoſe authority over the people was abſolute. The commons agreed to the neceſſity of protecting the Queen Mother; but at the ſame time deſired, that ſhe might be deſired to depart the kingdom; "For the quieting thoſe jealouſies in the hearts of his Majeſty's well-"affected ſubjects, occaſioned by ſome ill-inſtruments about that Queen's per-"ſon, by the flowing of prieſts and papiſts to her houſe, and by the uſe and "practice of the idolatry of the maſs and exerciſe of other ſuperſtitious ſervices "of the Romiſh church, to the great ſcandal of true religion *."

Charles, in the former part of his reign, had endeavoured to overcome the intractable and encroaching ſpirit of the commons, by a perſeverance in his own meaſures, by a ſtately dignity of behaviour, and by maintaining, at their utmoſt height, and even ſtretching beyond former precedent, the rights of his prerogative. Finding by experience how unſucceſsful thoſe meaſures had proved, and obſerving the low condition, to which he was now reduced, he reſolved to alter his whole conduct, and to regain the confidence of his people, by pliableneſs, by conceſſions, and by a total conformity to their inclinations and prejudices. He did not conſider, that the true rule of government, in ſo difficult a ſituation, as that, in which, from the beginning of his reign, he was placed, conſiſted, neither in ſteadineſs nor in facility, but in ſuch a judicious mixture of both, as would exactly ſuit the preſent circumſtances of the nation, and the particular

* Ruſhworth, vol. v. p. 267.

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pretenſions of his opponents. And, it may ſafely be averred, that this new extreme, into which the King, for want of proper council or ſupport, was fallen, became equally dangerous to the conſtitution, and pernicious to public peace, as the other, in which he had ſo long, and ſo unfortunately, perſevered.

Tonnage and poundage.

THE pretenſions with regard to tonnage and poundage were revived, and with certain aſſurance of ſucceſs, by the commons*. The levying theſe duties, as formerly, without conſent of parliament, and even increaſing them at pleaſure, was ſuch an incongruity in a free conſtitution, where the people, by their fundamental privileges, cannot be taxed but by their own conſent, as could no longer be endured by theſe jealous patrons of liberty. In the preamble, therefore, to the bill, by which the commons granted theſe duties to the King, they took care, in the ſtrongeſt and moſt poſitive terms, to aſſert their own right of beſtowing this gift, and to diveſt the crown of all independent title of aſſuming it. And that they might increaſe, or rather finally fix, the intire dependance and ſubjection of the King, they voted theſe duties only for two months; and afterwards, from time to time, renewed their grant for very ſhort periods †. Charles, in order to ſhow, that he entertained no intention ever again to ſeparate himſelf from his parliament, paſſed this important bill, without any ſcruple or heſitation ‡.

Triennial bill.

WITH regard to the bill for triennial parliaments, he made a little difficulty. By an old ſtatute, paſſed during the reign of Edward III. it had been enacted, that parliaments ſhould be held once every year, or more frequently, if neceſſary: But as no proviſion had been made in caſe of failure, and no preciſe method pointed out for execution; this ſtatute had been conſidered merely as a general declaration, and was diſpenſed with at pleaſure. The defect was ſupplied by thoſe vigilant patriots, who now aſſumed the reins of government. It was enacted, that if the chancellor, who was firſt bound under ſevere penalties, failed to iſſue writs by the third of September in every third year, any twelve or more of the peers ſhould be empowered to exert this authority: In default of the peers, the ſheriffs, mayors, bailiffs, *&c.* ſhould ſummon the voters: And in their default, the voters themſelves ſhould meet and proceed to the election of members, in the ſame manner as if writs had been regularly iſſued from the crown. Nor could

* It appears not, that the commons, tho' now entirely maſters, aboliſhed the new impoſitions of James, againſt which they had formerly ſo loudly complained: A certain proof that the rates of cuſtoms, ſettled by that prince, were in moſt inſtances juſt and proportioned to the new price of commodities. They ſeem rather to have been low: For they raiſed only the cuſtoms a third; whereas prices had certainly augmented five or ſix times. See Journ. 10th Aug. 1625.

† It was an inſtruction given by the houſe to the committee, which framed one of theſe bills, to take care, that the rates upon the home-commodities may be as light as poſſible; and upon foreign commodities as heavy as trade will bear: A proof, that the nature of commerce began now to be underſtood. Journ. 1ſt June, 1641.

‡ Clarendon, vol. i. p. 208.

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the parliament, after it was aſſembled, be adjourned, prorogued, or diſſolved, without their own conſent, during the ſpace of fifty days. By this bill, ſome of the nobleſt and moſt valuable prerogatives of the crown were retrenched; but at the ſame time, nothing could be more neceſſary than ſuch a ſtatute, for compleating a regular plan of law and liberty. A great reluctance to aſſemble parliaments muſt be expected in the King; where theſe aſſemblies, as of late, eſtabliſh it as a maxim to carry their ſcrutiny into every part of the government. During long intermiſſions of parliament, grievances and abuſes, as was found by recent experience, would naturally creep in; and it would even become neceſſary for the King and council to exert a great diſcretionary authority, and, by acts of ſtate, to ſupply, in every emergence, the legiſlative power, whoſe meeting was ſo uncertain and precarious. Charles, finding, that nothing leſs would ſatisfy his parliament and people, at laſt give his aſſent to this bill, which produced ſo great an innovation in the conſtitution *. Solemn thanks were preſented him by both houſes. Great rejoicings were expreſſed both in the city and throughout the nation. And mighty profeſſions were, every where, made of gratitude and mutual returns of ſupply and confidence. This conceſſion of the King, it muſt be owned, was not intirely voluntary: It was of a nature too important to be voluntary. The ſole inference, which his partizans were intitled to draw from the ſubmiſſions, ſo frankly made to preſent neceſſity, was, that he had certainly adopted a new plan of government, and, for the future, was reſolved, by every indulgence, to acquire the confidence and affections of his people.

Charles thought, that what conceſſions were made to the public were of little conſequence, if no gratifications were beſtowed on the individuals, who had acquired the direction of public councils and determinations. A change of miniſters, as well as of meaſures, was, therefore, reſolved on. In one day ſeveral new privy counſellors were ſworn; the Earls of Hertford, Bedford, Eſſex, Briſtol; the Lords Say, Saville, Kimbolton: Within a few days after, was admitted the Earl of Warwick †. All theſe noblemen were of the popular party; and ſome of them afterwards, when matters were puſhed to extremity by the commons, proved the greateſt ſupport of monarchy.

Juxon, biſhop of London, who had never deſired the treaſurer's ſtaff, now earneſtly ſolicited for leave to reſign it, and retire to the care of that turbulent dioceſe, which was committed to him. The King gave his aſſent; and it is remarkable, that, during all the ſevere inquiries, carried on againſt the conduct of miniſters and prelates, the mild and prudent virtues of this man, who bore both theſe invidious characters, remained unmoleſted ‡. It was intended, that Bedford, a popular man, of great authority, as well as wiſdom and moderation, ſhould

* Clarendon, vol. i. p. 209. Whitlocke, p. 39. Ruſhw. vol. v. p. 189.
† Clarendon, vol. i. p. 195. ‡ Warwick, p. 95.

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ſucceed Juxon: But that nobleman, very unfortunately both for King and people, died about this very time. By ſome promotions, place was made for St. John, who was created ſolicitor-general. Hollis was to be made ſecretary of ſtate, in place of Windebank, who had fled: Pym, chancellor of the exchequer, in place of Lord Cottington, who had reſigned: Lord Say, maſter of the wards, in place of the ſame nobleman: The Earl of Eſſex, governor; and Hambden, tutor to the Prince *.

WHAT retarded the execution of theſe projected changes, was the difficulty of ſatisfying all thoſe, who, from their activity and authority in parliament, had pretenſions for offices, and who had it ſtill in their power to embarraſs and diſtreſs the public meaſures. Their aſſociates too in popularity, whom the King intended to diſtinguiſh by his favours, were unwilling to undergo the reproach of having driven a ſeparate bargain, and of ſacrificing, to their own ambitious views, the cauſe of the nation. And as they were ſenſible, that they muſt owe their preferment entirely to their weight and conſideration in parliament, they were, moſt of them, reſolved ſtill to adhere to that aſſembly, and both to promote its authority, and to preſerve their own credit in it. On all occaſions, they had no other advice to give the King, than to allow himſelf to be directed by his great council; or in other words, to reſign himſelf paſſively to their guidance and government. And Charles found, that, inſtead of acquiring friends, by the honours and offices which he ſhould beſtow, he ſhould only arm his enemies with more power to hurt him.

THE end, on which the King was moſt intent in changing miniſters, was to ſave the life of the earl of Strafford, and to mollify, by theſe indulgences, the rage of his moſt furious proſecutors. But ſo high was that nobleman's reputation for experience and capacity, that all the new counſellors and intended miniſters plainly ſaw that if he eſcaped their vengeance, he muſt return into favour and authority; and they regarded his death as the only ſecurity, which they could have, both for the eſtabliſhment of their preſent power, and for ſucceſs in their farther enterprizes. His impeachment, therefore, was puſhed on with the utmoſt vigour; and after long and ſolemn preparations, was brought to a final iſſue.

Strafford's trial.

IMMEDIATELY after Strafford was ſequeſtred from parliament, and confined in the Tower, a committee of thirteen were choſen by the lower houſe, and entruſted with the office of preparing a charge againſt him. Theſe, joined to a ſmall committee of lords, were veſted with authority to examine all witneſſes, to call for every paper, and to uſe any means of ſcrutiny, with regard to any part of the Earl's behaviour and conduct †. After ſo general and unbounded an inquiſition, exerciſed by ſuch powerful and implacable enemies; a man muſt have been very cau-

* Clarendon, vol. i. p. 210, 211. † Id. p. 192, 193.

tious or very innocent, not to afford, during the whole courſe of his life, ſome matter of accuſation againſt him. Chap. V. 1640.

THIS committee, by direction from both houſes, took an oath of ſecrecy; a practice very unuſual, and which gave them the appearance of conſpirators, more than miniſters of juſtice †. But the intention of this ſtrictneſs, was to render it more difficult for the Earl to elude their ſearch, or prepare for his juſtification.

APPLICATION was made to the King, that he would allow this committee to examine privy counſellors with regard to opinions delivered at the board. A conceſſion, which Charles unwarily made, and which thenceforth baniſhed all mutual confidence, from the deliberations of council; where every man is ſuppoſed to have entire freedom, without fear of future puniſhment and inquiry, of propoſing any expedient, queſtioning any opinion, or ſupporting any argument ‡.

SIR George Ratcliffe, the Earl's intimate friend and confident, was accuſed of high treaſon, ſent for from Ireland, and committed to cloſe cuſtody. As no charge ever appeared or was proſecuted againſt him, it is impoſſible to give a more charitable interpretation to this meaſure, than that the commons thereby intended to deprive Strafford, in his preſent diſtreſs, of the aſſiſtance of his beſt friend, who was moſt enabled, by his teſtimony, to juſtify the innocence of his patron's conduct and behaviour ||.

WHEN intelligence arrived in Ireland of the plans laid for Strafford's ruin, the Iriſh houſe of commons, tho' they had very lately beſtowed moſt ample praiſes on his adminiſtration, entered into all the violent councils againſt him, and prepared a repreſentation of the miſerable ſtate, into which, by his miſconduct, they ſuppoſed the kingdom to be fallen. They ſent over a committee into England to aſſiſt in the proſecution of their unfortunate governor; and by intimations from this committee, who entered into cloſe confederacy with the popular leaders in England, was every meaſure of the Iriſh parliament governed and directed. Impeachments, which were never proſecuted, were carried up againſt Sir Richard Bolton, the chancellor, Sir Gerard Louther, chief juſtice, and Bramhall, biſhop of Derry §. This ſtep, which was an exact counter-part to the proceedings in England, ſerved alſo the ſame purpoſes: it deprived the King of the miniſters, whom he moſt truſted; it diſcouraged and terrified all the other miniſters; and it prevented thoſe perſons, who were beſt acquainted with Strafford's councils, from giving evidence in his favour before the Engliſh parliament.

THE biſhops, being forbid by the antient canons to aſſiſt in any trial for life, and being unwilling, by any oppoſition, to irritate the commons, who were al- 1641.

† Whitlocke, p. 37. ‡ Clarendon, vol. i. p. 193. || Id. p. 214.
§ Ruſhw. vol. v. p. 214.

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ready much prejudiced againſt them, thought proper, of themſelves, to withdraw *. The commons alſo voted, that the new created peers ought to have no voice in this trial; becauſe the accuſation being agreed to, while they were commoners, their conſent to it was implied with that of all the commons of England. Notwithſtanding this deciſion, which was meant only to deprive Strafford of ſo many friends, the Lord Seymour, and ſome others, ſtill continued to keep their ſeat; nor was their right to it any farther queſtioned †.

To beſtow a greater ſolemnity on this important trial, ſcaffolds were erected in Weſtminſter-hall; where both houſes ſat, the one as accuſers, the other as judges. Beſides the chair of ſtate, a cloſe gallery was prepared for the King and Queen, who attended during the whole trial ‡.

An accuſation, carried on by the united effort of three kingdoms, againſt one man, unprotected by power, unaſſiſted by council, diſcountenanced by authority, was likely to prove a very unequal conteſt: Yet ſuch was the capacity, genius, preſence of mind, diſplayed by this magnanimous ſtateſman, that, while argument and reaſon and law had any place, he obtained an undiſputed victory. And he periſhed at laſt, overwhelmed and ſtill unſubdued, by the open violence of his fierce and unrelenting antagoniſts.

March 22.

The articles of impeachment againſt Strafford are twenty-eight in number; and regard his conduct, as preſident of the council of York, as deputy or lieutenant of Ireland, as counſellor or commander in England. But tho' four months were employed by the managers in framing the accuſation, and all Strafford's anſwers were extemporary; it appears from compariſon, not only that he was free from the crime of treaſon, of which there is not the leaſt appearance, but that his conduct, making allowance for human infirmities, expoſed to ſuch ſevere ſcrutiny, was innocent, and even laudable.

The powers of the northern council, while he was preſident, had been extended, by the King's inſtructions, beyond what formerly had been practiſed: But that court being, at firſt, inſtituted by a ſtretch of royal prerogative, it had been uſual for the prince to vary his inſtructions; and the largeſt authority committed to it, was altogether as legal as the moſt moderate and moſt limited. Nor was it reaſonable to conclude, that Strafford had uſed any art to procure thoſe extenſive powers; ſince he never once ſat as preſident, nor exerciſed one act of juriſdiction, after he was inveſted with the authority, ſo much complained of ‖.

In the government of Ireland, his adminiſtration had been equally promotive of his maſter's intereſt, and that of the ſubjects, committed to his care. A large debt he had paid off: He had left a conſiderable ſum in the exchequer: The re-

* Clarendon, vol. i. p. 216. † Id. ibid. ‡ Whitlocke, p. 40. Ruſhw. vol. iv. p. 41. May, p. 90. ‖ Ruſhw. vol. iv. p. 145.

venues,

venues, which before never anſwered the charges of government, were now raiſed to be equal to them *: A ſmall ſtanding army, formerly kept in no order, was augmented and was governed by the moſt exact diſcipline: And a great force was there raiſed and paid, for the ſupport of the King's authority againſt the Scots covenanters. Chap. V. 1641.

INDUSTRY, and all the arts of peace, were introduced among that ſavage people: The ſhipping of the kingdom augmented a hundred-fold †: The cuſtoms tripled upon the ſame rates ‡: The exports double in value to the imports: Manufactures, particularly that of linen, introduced and promoted §: Agriculture, by means of the Engliſh and Scots plantations, gradually advancing: The proteſtant religion encouraged, without the perſecution or diſcontent of the catholics.

THE ſprings of authority he had enforced without overſtraining them. Diſcretionary acts of juriſdiction, indeed, he had often exerted, by holding courts-martial, billeting ſoldiers, deciding cauſes upon paper-petitions before the council, iſſuing proclamations, and puniſhing their infraction. But diſcretionary authority, during that age, was uſually exerciſed even in England. In Ireland, it was ſtill more requiſite, among a wild people, not yet thoroughly ſubdued, averſe to the religion and manners of their conquerors, ready, on all occaſions, to relapſe into rebellion and diſorder. While the managers of the commons demanded, every moment, that the deputy's conduct ſhould be examined by the line of rigid law and ſevere principles; he appealed ſtill to the practice of all former deputies, and to the uncontroulable neceſſity of his ſituation.

So great was his art of managing elections, and balancing parties, that he had engaged the Iriſh parliament to vote whatever was neceſſary, both for the payment of former debts, and for ſupport of the new levied army; nor had he ever been reduced to the illegal expedients, practiſed in England, for the ſupply of public neceſſities. No imputation of rapacity could juſtly lie againſt his adminiſtration. Some inſtances of imperious expreſſions, and even actions, may be met with. The caſe of Lord Mountnorris, of all thoſe collected with ſo much induſtry, is the moſt flagrant and the leaſt excuſable.

IT had been reported at the table of the Lord chancellor Loftus, that one of the deputy's attendants, a relation of Mountnorris, in moving a ſtool, had ſorely hurt his maſter's foot, who was at that time afflicted with the gout. *Perhaps*, ſaid Mountnorris, who was preſent at table, *it was done in revenge of that public affront, which my Lord deputy formerly put upon me:* BUT I HAVE A BROTHER, WHO WOULD NOT HAVE TAKEN SUCH A REVENGE. This caſual, and ſeeming-

* Ruſhw. vol. iv. p. 120, 247. Warwick, p. 115. † Nalſon, vol. ii. p. 45.
‡ Ruſhw. vol. iv. p. 124. § Warwick, p. 115.

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ly innocent, at leaſt very ambiguous, expreſſion was reported to Strafford; who, on pretence that Mountnorris was an officer, ordered him to be tried by a court-martial for mutiny and ſedition againſt his general. The court, which conſiſted of the chief officers of the army, found the crime to be capital, and condemned that Nobleman to loſe his head *.

In vain did Strafford plead in his own defence againſt this article of impeachment, That the ſentence againſt Mountnorris was the deed, and that too unanimous, of the court, not the act of the deputy; that he ſpoke not to a member of the court, nor voted in the cauſe, but ſat uncovered as a party; and then immediately withdrew, to leave them to their freedom; that ſenſible of the iniquity of the ſentence, he procured his Majeſty's free pardon to Mountnorris; that he did not even keep that Nobleman a moment in ſuſpence with regard to his fate, but inſtantly told him, that he himſelf would ſooner loſe his right hand than execute ſuch a ſentence, nor was his lordſhip's life in any manner of danger; and that upon the whole, the only hardſhip, which Mountnorris ſuffered, was impriſonment during two days, after which his liberty was reſtored him. In vain did Strafford's friends add, as a further apology, that Mountnorris was a man of an infamous character, who paid court, by the loweſt adulation, to all deputies, while preſent; and blackened their character, by the vileſt calumnies, when recalled: And that Strafford, expecting like treatment, had uſed this expedient for no other purpoſe than ſo ſubdue the petulant ſpirit of the man. Theſe excuſes alleviate the guilt; but there ſtill remains enough to prove, that the mind of the deputy, tho' great and firm, had been not a little debauched by the riot of abſolute power, and uncontrouled authority.

When Strafford was called over into England, he found every thing falling into ſuch confuſion, by the open rebellion of the Scots, and the ſecret diſcontents of the Engliſh, that, if he had counſelled or executed any violent meaſure, he might perhaps have been able to apologize for his conduct, from the great law of neceſſity, which admits not, while the neceſſity is extreme, of any ſcruple, ceremony, or delay †. But in fact, no illegal advice or action was proved againſt him; and the whole amount of his guilt, during this period, was ſome peeviſh, or at moſt imperious expreſſions, which, amidſt ſuch deſperate extremities, and during a bad ſtate of health, had unhappily fallen from him.

If Strafford's apology was, in the main, ſo ſatisfactory, when he pleaded to each particular article of the charge, his victory was ſtill more deciſive, when he brought the whole together, and repelled the imputation of treaſon; the crime which the commons would infer from the full view of his conduct and behaviour. Of all ſpecies of guilt, the law of England had, with the moſt ſcrupulous exact-

* Ruſhw. vol. iv. p. 187. † Ruſhw. vol. iv. p. 559.

neſs,

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neſs, defined that of treaſon; becauſe on that ſide it was found moſt neceſſary to protect the ſubject againſt the violence of the king and of his miniſters. By the famous ſtatute of Edward III. all the kinds of treaſon are enumerated, and every other crime, beſides ſuch as are there expreſsly mentioned, is carefully excluded from that denomination. But with regard to this guilt, *An endeavour to ſubvert the fundamental laws*, the ſtatute of treaſon is totally ſilent: And arbitrarily to introduce it into the fatal catalogue, is itſelf a ſubverſion of all law; and under colour of defending liberty, reverſes a ſtatute the beſt calculated for the ſecurity of liberty, which had ever been enacted by an Engliſh parliament.

As this ſpecies of treaſon, diſcovered by the commons, is intirely new and unknown to the laws; ſo is the ſpecies of proof, by which they pretend to fix that guilt upon the priſoner. They have invented a kind of *accumulative* or *conſtructive* evidence, by which many actions, either totally innocent in themſelves, or criminal in a much inferior degree, ſhall, when united, amount to treaſon, and ſubject the perſon to the higheſt penalties inflicted by the law. A haſty and unguarded word, a raſh and paſſionate action, aſſiſted by the malevolent fancy of the accuſer, and tortured by doubtful conſtructions, is tranſmuted into the deepeſt guilt; and the lives and fortunes of the whole nation, no longer protected by juſtice, are ſubjected to arbitrary will and pleaſure.

"WHERE has this ſpecies of guilt lain ſo long concealed?" ſaid Strafford in concluſion. "Where has this fire been ſo long buried, during ſo many centuries, "that no ſmoke ſhould appear, till it burſt out at once, to conſume me and my "children? Better it were to live under no law at all, and, by the maxims of "cautious prudence, to conform ourſelves, the beſt we can, to the arbitrary will "of a maſter; than fancy we have a law on which we can rely, and find, at laſt, "that this law ſhall inflict a puniſhment precedent to the promulgation, and try "us by maxims unheard of, till the very moment of the proſecution. If I ſail "on the Thames, and ſplit my veſſel on an anchor; in caſe there be no buoy to "give warning, the party ſhall pay me damages: But, if the anchor be marked "out, then is the ſtriking on it at my own peril. Where is the mark ſet upon "this crime? Where is the token by which I ſhould diſcover it? It has lain con"cealed under water; and no human prudence, no human innocence could ſave "me from the deſtruction, with which I am at preſent threatened.

"IT is now full two hundred and forty years ſince treaſons were defined; and "ſo long has it been, ſince any man was touched to this extent, upon this crime, "before myſelf. We have lived, my lords, happily to ourſelves at home; we "have lived glorioufly abroad, to the world: Let us be content with what our "fathers have left us: Let not our ambition carry us to be more learned than "they were, in theſe killing and deſtructive arts. Great wiſdom it will be in

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" your lordſhips, and juſt providence, for yourſelves, for your poſterities, for " the whole kingdom, to caſt from you, into the fire, theſe bloody and myſteri- " ous volumes of arbitrary and conſtructive treaſons, as the primitive chriſtians " did their books of curious arts, and betake yourſelves to the plain letter of the " ſtatute, which tells you where the crime is, and points out to you the path, by " which you may avoid it!

" LET us not, to our own deſtruction, awake thoſe ſleeping lions, by rattling " up a company of old records, which have lain, for ſo many ages, by the wall, " forgotten and neglected. To all my afflictions, add not this, my lords, the " moſt ſevere of any; that I, for my other ſins, not for my treaſons, be the " means of introducing a precedent, ſo pernicious to the laws and liberties of " my native country.

" HOWEVER theſe gentlemen at the bar ſay, they ſpeak for the commonwealth; " and they believe ſo: Yet, under favour, it is I who, in this particular, ſpeak " for the commonwealth. Precedents, like thoſe endeavoured to be eſtabliſhed " againſt me, muſt draw along ſuch inconveniencies and miſeries, that, in a few " years, the kingdom will be in the condition, expreſſed in a ſtatute of Henry IV; " and no man ſhall know by what rule to govern his words and actions.

" IMPOSE not, my lords, difficulties inſurmountable upon miniſters of ſtate, nor " diſable them from ſerving with chearfulneſs their king and country. If you " examine them, and under ſuch ſevere penalties, by every grain, by every little " weight; the ſcrutiny will be intolerable. The public affairs of the kingdom " muſt be left waſte; and no wiſe man, who has any honour or fortune to loſe, " will ever engage himſelf in ſuch dreadful, ſuch unknown perils.

" MY lords, I have now troubled your lordſhips a great deal longer than I " ſhould have done. Were it not for the intereſt of theſe pledges, which a ſaint " in heaven left me, I ſhould be loth"——Here he pointed to his children, and his weeping ſtopped him.——" What I forfeit for myſelf, it is nothing: But, " I confeſs, that my indiſcretion ſhould forfeit for them, it wounds me very deep- " ly. You will be pleaſed to pardon my infirmity: Something I ſhould have " ſaid; but I ſee I ſhall not be able, and therefore I ſhall leave it.

" AND now, my lords, I thank God, I have been, by his bleſſing, ſufficient- " ly inſtructed in the extreme vanity of all temporary enjoyments, compared to " the importance of our eternal duration. And ſo, my lords, even ſo, with all " humility, and with all tranquillity of mind, I ſubmit, clearly and freely, to " your judgments: And whether that righteous doom ſhall be to life or death, I " ſhall repoſe myſelf, full of gratitude and confidence, in the arms of the great " Author of my exiſtence *."

* Ruſhw. vol. iv. p. 659, &c.

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CERTAINLY, ſays Whitlocke *, with his uſual candor, *never any man acted ſuch a part, on ſuch a theatre, with more wiſdom, conſtancy, and eloquence, with greater reaſon, judgment and temper, and with a better grace in all his words and actions, than did this great and excellent perſon; and he moved the hearts of all his auditors, ſome few excepted, to remorſe and pity.* It is remarkable, that the hiſtorian, who expreſſes himſelf in theſe terms, was himſelf chairman of that committee, which conducted the impeachment againſt this unfortunate ſtateſman. The accuſation and defence laſted eighteen days. The managers divided the ſeveral articles among them, and attacked the priſoner with all the weight of authority, with all the vehemence of rhetoric, with all the accuracy of long preparation. Strafford was obliged to ſpeak with deference and reſerve towards his moſt inveterate enemies, the commons, the Scots nation, the Iriſh parliament. He took only a very ſhort time, on each article, to recollect himſelf: Yet he alone, without aſſiſtance, mixing modeſty and humility with firmneſs and vigour, made ſuch a defence, that the commons ſaw it impoſſible, by a legal proſecution, ever to obtain a ſentence againſt him.

BUT the death of Strafford was too important a ſtroke of party to be left unattempted by any expedient, however extraordinary. Beſides the great genius and authority of that miniſter, he had threatened ſome of the popular leaders with an impeachment; and, had he not been ſuddenly prevented by an accuſation of the commons, he had, that very day, it was thought, charged Pym, Hambden, and others, with treaſon, for having invited the Scots to invade England. A bill of attainder was therefore brought into the lower houſe immediately after finiſhing theſe pleadings; and preparatory to it a new proof of the Earl's guilt was produced, in order to remove ſuch ſcruples as might be entertained with regard to a method of proceeding, ſo unuſual and irregular.

SIR Henry Vane, ſecretary, had taken down ſome notes of a debate in council, after the diſſolution of the laſt parliament; and being at a diſtance, he had ſent the keys of his cabinet, as was pretended, to his ſon, Sir Henry, in order to ſearch for ſome papers, which were neceſſary for compleating a marriage-ſettlement. Young Vane, falling upon this paper of notes, deemed the matter of the utmoſt conſequence; and immediately communicated it to Pym, who now produced the paper before the houſe of commons. The queſtion before the council was; *Offenſive or defenſive war with the Scots.* The King propoſes this difficulty, "But how can I undertake offenſive war if I have no more money?" The anſwer aſcribed to Strafford was in theſe words. "Borrow of the city a hundred "thouſand pounds: Go on vigorouſly to levy ſhip-money. Your majeſty ha- "ving tried the affections of your people, you are abſolved and looſe from all

* P. 41.

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" rules of government, and may do what power will admit. Your Majeſty, having " tried all ways, ſhall be acquitted before God and man. And you have an ar- " my in Ireland, which you may employ to reduce THIS kingdom to obedience: " For I am confident the Scots cannot hold out five months." There followed ſome councils of Laud and Cottington, equally violent, with regard to the King's being abſolved from all rules of government *.

THIS paper, with all the circumſtances of its diſcovery and communication, was pretended to be equivalent to two witneſſes, and to be an unanſwerable proof of thoſe pernicious councils of Strafford, which tended to the ſubverſion of the laws and conſtitution. But it was replied by Strafford and his friends, That old Vane was his moſt inveterate and declared enemy; and if the ſecretary himſelf, as was by far moſt probable, had willingly delivered to his ſon this paper of notes, to be communicated to Pym, this implied ſuch a breach of oaths and of truſt, as rendered him totally unworthy of all credit. That the ſecretary's depoſition was at firſt exceedingly dubious: Upon two examinations, he could not remember any ſuch words: Even the third time, his teſtimony was not poſitive; but imported only, that Strafford had ſpoke ſuch or ſuch-like words: And words may be very like in ſound, and differ much in ſenſe; nor ought the lives of men to depend upon grammatical criticiſms of any expreſſions, much leſs, of thoſe delivered by the ſpeaker without premeditation, and committed by the hearer, for any time, however ſhort, to the uncertain record of memory. That, in the preſent caſe, changing *This kingdom* into *That kingdom*, a very ſlight alteration! the Earl's diſcourſe could regard nothing but Scotland, and implies no advice unworthy of an Engliſh counſellor. That even retaining the expreſſion, *This kingdom*, the words may fairly be underſtood of Scotland, which alone was the kingdom that the debate regarded, and which alone had thrown off allegiance, and could be reduced to obedience. That it could be proved, as well by the evidence of all the King's miniſters, as by the known diſpoſition of the forces, that the intention never was to land the Iriſh army in England, but in Scotland. That of ſix other counſellors preſent, Laud and Windebank could give no evidence; Northumberland, Hamilton, Cottington, and Juxton, could recollect no ſuch expreſſion; and the advice was too remarkable to be eaſily forgot. That it was nowiſe probable ſuch a deſperate council would be openly delivered at the board, and before Northumberland, a perſon of that high rank, and whoſe attachments to the court were ſo much weaker than his attachments to the country. That tho' Northumberland, and he alone, had recollected ſome ſuch expreſſion, as that *Of being abſolved from rules of government*; yet, in ſuch deſperate extremities as thoſe, into which the King and kingdom were then fallen, a maxim of that na-

* Clarendon, vol. i. p. 223, 229, 230, &c. Whitlocke, p. 41. May, p. 93.

ture,

ture, allowing it to be delivered by Strafford, may be defended, upon principles the moſt favourable to law and liberty. And that nothing could be more iniquitous, than to extract an accuſation of treaſon from an opinion, ſimply propoſed at the council-table; where all freedom of debate ought to be permitted, and where it was not unuſual for the members, in order to draw forth the ſentiments of others, to propoſe councils very remote from their own ſecret advice and judgment *. Chap. V. 1641.

THE evidence of Secretary Vane, tho' expoſed to ſuch unſurmountable objections, was the real cauſe of Strafford's unhappy fate; and made the bill of attainder paſs the commons with no greater oppoſition than that of fifty-nine diſſenting votes. But there remained two other branches of the legiſlature, the King and the lords, whoſe aſſent was requiſite; and theſe, if left to their free judgment, it was eaſily foreſeen, would reject the bill, without ſcruple or deliberation. To overcome this difficulty, the popular leaders employed expedients, for which they were beholden partly to their own induſtry, partly to the imprudence of their adverſaries. Bill of attainder.

NEXT Sunday after the bill paſſed the commons, the puritanical pulpits reſounded with declamations concerning the neceſſity of executing juſtice upon great delinquents †. The populace took the alarm. About ſix thouſand men, armed with ſwords and cudgels, flocked from the city, and ſurrounded the houſes of parliament ‡. The names of the fifty-nine commoners, who had voted againſt the bill of attainder, were poſted up under the title of *Straffordians and betrayers of their country*. Theſe were expoſed to all the inſults of the ungovernable multitude. When any of the lords paſſed, the cry for *Juſtice* againſt Strafford reſounded in their ears: And ſuch as were ſuſpected of friendſhip to that obnoxious miniſter, were ſure to meet with menaces, not unaccompanied with ſymptoms of the moſt deſperate reſolutions in the furious populace §.

COMPLAINTS in the houſe of commons being made againſt theſe violences as the moſt flagrant breach of privilege, the ruling members, by their affected coolneſs and indifference, ſhowed plainly, that the popular tumults were not diſagreeable to them ‖. But a new diſcovery, made about this time, ſerved to throw every thing into ſtill greater flame and combuſtion.

SOME principal officers, Piercy, Jermyn, Oneale, Goring, Wilmot, Pollard, Aſhburnham, partly attached to the court, partly diſguſted with the parliament, had formed a plan of engaging into the King's ſervice the Engliſh army, whom they obſerved to be diſpleaſed at ſome marks of preference given by the commons to the Scots. For this purpoſe, they entered into an aſſociation,

* Ruſhw. vol. iv. p. 567. † Whitlocke, p. 43. ‡ Ibid.
§ Clarendon, vol. i. p. 232. 256. Ruſhw. vol. v. p. 248. 279. ‖ Whitlocke, p. 43.

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took an oath of ſecrecy, and kept a cloſe correſpondence with ſome of the King's ſervants. The form of a petition to the King and parliament was concerted; and it was propoſed to get this petition ſubſcribed by the army. The petitioners there repreſent the great and unexampled conceſſions made by the King for the ſecurity of public peace and liberty; the endleſs demands of certain inſatiable and turbulent ſpirits, whom nothing leſs will content than a total ſubverſion of the antient conſtitution; the frequent tumults, which theſe factious malecontents had excited, and which endangered the liberty of parliament. To prevent theſe miſchiefs, the army offered to come up and guard that aſſembly. "So ſhall "the nation," as they expreſs themſelves in the concluſion, "not only be "vindicated from precedent innovations, but be ſecured from the future, which "are threatened, and which are likely to produce more dangerous effects than "the former *." The draught of this petition being conveyed to the King, he was prevailed on, ſomewhat imprudently, to counterſign it himſelf, as a mark of his approbation. But as ſeveral difficulties occurred, the project was laid aſide two months before any public diſcovery was made of it.

IT was Goring, who betrayed the ſecret to the popular leaders. The alarm may eaſily be imagined, which this intelligence conveyed. Petitions from the military to the civil power are always looked on as diſguiſed, or rather undiſguiſed commands; and are of a nature widely different from petitions, preſented by any other rank of men. Pym opened the matter in the houſe †. On the firſt intimation of a diſcovery, Piercy concealed himſelf, and Jermyn withdrew beyond ſea. This farther confirmed the ſuſpicion of a dangerous conſpiracy. Goring delivered his evidence before the houſe. Piercy wrote a letter to his brother, Northumberland, confeſſing moſt of the particulars ‡. Both their teſtimonies agree with regard to the oath of ſecrecy; and as this circumſtance had been denied by Pollard, Aſhburnham, and Wilmot, in all their examinations, it was regarded as a new proof of ſome deſperate reſolutions, which had been taken.

To convey more quickly the terror and indignation at this plot, the commons voted, that a proteſtation ſhould be ſigned by all the members. It was ſent up to the lords, and ſigned by all of them, except Southampton and Robarts. Orders were given by the commons alone, without other authority, that it ſhould be ſubſcribed by the whole nation. The proteſtation was in itſelf very inoffenſive and even inſignificant, and contained nothing but general declarations, that the ſubſcribers would defend their religion and liberties ‖. But it tended to increaſe

* Clarendon, vol i. p. 247. Whitlocke, p. 43. † Ruſhw. vol. v. p. 240.
‡ Ruſhw. vol. v. p. 255.
‖ Clarendon, vol. i. p. 252. Ruſhw. vol. v. p. 241. Warwick, p. 180.

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the popular panic, and intimated, what was more expreſsly declared in the preamble, that theſe bleſſings were now expoſed to the utmoſt peril.

ALARMS were every day given of new conſpiracies *: In Lancaſhire, great multitudes of papiſts were gathering together: Secret meetings were held by them in caves and under ground in Surrey: They had entered into a plot to blow up the river with gunpowder, in order to drown the city †: Proviſions of arms were making beyond ſea: Sometimes France, ſometimes Denmark, was forming deſigns againſt the kingdom: And the populace, who are always terrified with preſent, and enraged with diſtant dangers, were ſtill farther animated in their demands of juſtice againſt the unfortunate Strafford.

THE King came to the houſe of lords: And tho' he expreſſed his reſolution, for which he offered them any ſecurity, never again to employ Strafford in any branch of public buſineſs; he profeſſed himſelf totally diſſatisfied with regard to the circumſtances of treaſon, and on that account declared his difficulty, in giving his aſſent to the bill of attainder ‡. The commons took fire, and voted it a breach of privilege for the King to take notice of any bill, depending before the houſe. Charles did not perceive, that his attachment to Strafford was the chief motive of the bill; and that, the greater proofs he gave of anxious concern for this miniſter, the more inevitable did he render his deſtruction.

ABOUT eighty peers had conſtantly attended Strafford's trial; but ſuch apprehenſions were entertained on account of the popular tumults, that only forty-five were preſent when the bill of attainder was brought into the houſe. Yet of theſe, nineteen had the courage to vote againſt it ‖. A certain proof, that, if intire freedom had been allowed, the bill had been rejected by a great majority.

IN carrying up the bill to the lords, St. John, the ſolicitor-general, advanced two topics, well ſuited to the fury of the times; that, tho' the teſtimony againſt Strafford were not clear, yet, in this way of bill, private ſatisfaction to each man's conſcience was ſufficient, even ſhould no evidence at all be produced; and that the Earl had no title to plead law, becauſe he had broke the law. It is true, added he, we give law to hares and deer; for they are beaſts of chace: But it was never accounted either cruel or unfair, to deſtroy foxes or wolves, whereever they can be found; for they are beaſts of prey §.

AFTER popular violence had prevailed over the lords, the ſame batteries were next applied to force the King's aſſent. The populace flocked about Whitehall, and accompanied their demand of juſtice with the loudeſt clamours and moſt open menaces. Rumors of conſpiracies againſt the parliament were anew ſpread abroad: Invaſions and inſurrections talked of: And the whole nation was raiſed

* Dugdale, p. 69. Franklyn, p. 501. † Sir Edw. Walker, p. 349.
‡ Ruſhw. vol. v. p. 239. ‖ Whitlocke, p. 43. § Clarendon, vol. i. p. 232.

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into ſuch a ferment, as threatened ſome great and imminent convulſion. On whichever ſide the King caſt his eyes, he ſaw no reſource nor ſecurity. All his ſervants, conſulting their own ſafety, rather than their maſter's honour, declined interpoſing with their advice between him and his parliament. The Queen, terrified with the appearance of ſo mighty a danger, and bearing formerly no good-will to Strafford, was in tears, and preſſed him to ſatisfy his people, in this demand, which, it was hoped, would finally content them. Juxon alone, whoſe courage was not inferior to his other virtues, ventured to adviſe him, if, in his conſcience, he did not approve of the bill, by no means to aſſent to it *.

STRAFFORD, hearing of the King's irreſolution and anxiety, took a very extraordinary ſtep: He wrote a letter, in which he intreated the King, for the ſake of public peace, to put an end to his unfortunate, however innocent life, and to quiet the tumultuous people by granting them that requeſt, for which they were ſo importunate †. "In this," added he, "my conſent will more acquit "you to God than all the world can do beſides. To a willing man there is no "injury. And as, by God's grace, I forgive all the world with a calmneſs and "meekneſs, of infinite contentment to my diſlodging ſoul: So, Sir, to you, I "can reſign the life of this world with all imaginable cheerfulneſs, in the juſt "acknowledgement of your exceeding favours." Perhaps, Strafford hoped, that this unuſual inſtance of generoſity would engage the King ſtill more ſtrenuouſly to protect him: Perhaps, he gave his life for loſt; and finding himſelf in the hands of his enemies, and obſerving, that Balfour, the lieutenant of the Tower, was entirely devoted to the popular party ‡; he abſolutely deſpaired of ever eſcaping the multiplied dangers, with which he was every where invironed. We might aſcribe this ſtep to a noble effort of diſintereſtedneſs, not unworthy the great mind of Strafford; if the meaſure, which he adviſed, had not been, in the event, as pernicious to his maſter, as it was immediately fatal to himſelf ‖.

* Clarendon, vol. i. p. 257. Warwick, p. 160. † Carendon, vol. i. p. 258. Ruſhw. vol. v. p. 251. ‡ Whitlocke, p. 44. Franklyn, p. 896.

‖ Mr. Carte, in his life of the Duke of Ormond, has given us ſome evidence to prove, that this letter was intirely a forgery of the popular leaders, in order to induce the King to ſacrifice Strafford. He tells us, that Strafford ſaid ſo to his ſon, the night before his execution. But there are ſome reaſons, why I adhere to the common way of telling this ſtory. 1. The account of the forgery came thro' ſeveral hands, and from men of characters not fully known to the public: A circumſtance which weakens every evidence. 'Tis a hearſay of a hearſay. 2. It ſeems impoſſible, but young Lord Strafford muſt inform the King, who would not fail to trace the forgery, and expoſe his enemies to their merited infamy. 3. 'Tis not to be conceived but Clarendon and Whitlocke, not to mention others, muſt have heard of the matter. 4. Sir George Ratcliffe, in his life of Strafford, tells the ſtory in the ſame way that Clarendon and Whitlocke do. Would he alſo, who was Strafford's intimate friend, never have heard of the forgery? 'Tis remarkable, that this life is dedicated or addreſſed to young Strafford. Would not he have put Sir George right in ſo material and intereſting a fact?

AFTER the moſt violent anxiety and doubt, Charles, at laſt, granted a commiſſion to four noblemen to give the royal aſſent, in his name, to the bill: Flattering himſelf, probably, in this extremity of diſtreſs, that, as neither his will conſented to the deed, nor was his hand immediately engaged in it, he was the more free from all the guilt, which attended it. Theſe commiſſioners he empowered, at the ſame time, to give aſſent to the bill, which rendered the parliament perpetual.

THE commons, from policy, more than from neceſſity, had embraced the expedient of paying the two armies by borrowing money from the city; and this loan they had repayed afterwards by taxes, levied upon the people. The citizens, either of themſelves or by ſuggeſtion, began to ſtart difficulties with regard to a farther loan, which was demanded. We make no ſcruple of truſting the parliament, ſaid they, were we certain, that the parliament was to continue till our repayment: But, in the preſent precarious ſituation of affairs, what ſecurity can be given us for our money? In order to obviate this objection, a bill was ſuddenly brought into the houſe, and paſſed with great unanimity and rapidity, that the parliament ſhould not be diſſolved, prorogued, nor adjourned, without their own conſent. It was hurried in like manner thro' the houſe of peers; and was inſtantly carried to the King for his aſſent. Charles, in the agony of grief, ſhame, and remorſe, for Strafford's doom, perceived not, that this other bill was of ſtill more fatal conſequence to his authority; and rendered the power of his enemies perpetual, as it was already uncontroulable *. In compariſon of the bill of attainder, by which he deemed himſelf an accomplice in his friend's murder, this conceſſion made no figure in his eyes †: A circumſtance, which, if it leſſens our idea of his reſolution or penetration, ſerves to prove the integrity of his heart and the goodneſs of his diſpoſition. It is indeed certain, that ſtrong compunction for his conſent to Strafford's execution attended this unfortunate Prince during all the remainder of his life; and even at his own fatal end, the memory of this guilt, with great ſorrow and remorſe, recurred upon him. All men were ſo ſenſible of the extreme violence, which was done him, that he ſuffered the leſs, both in character and intereſt, from this unhappy meaſure; and, tho'

* Clarendon, vol. i. p. 261, 262. Raſhw. vol. v. p. 264.

† What made this bill appear of leſs conſequence was, that the parliament voted tonnage and poundage for no longer a period than two months: And as that branch was more than half of the revenue, and the government could not poſſibly ſubſiſt without it; it ſeemed indirectly in the power of the parliament to continue themſelves as long as they pleaſed. This indeed was true in the ordinary adminiſtration of government: But on the approaches towards a civil war, which was not then foreſeen, it had been of great conſequence to the King to have reſerved the right of diſſolution, and to have ſuffered any extremity, rather than allow the continuance of the parliament.

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he abandoned his beſt friend, yet was he ſtill able to preſerve, in ſome degree, the attachment of all his adherents.

SECRETARY Carleton was ſent by the King to inform Strafford of the final reſolution, which neceſſity had extorted from him. The Earl ſeemed ſurprized, and ſtarting up, exclaimed in the words of the ſcripture, *Put not your truſt in princes nor in the ſons of men: For in them there is no ſalvation* *. He was ſoon able, however, to collect his courage; and he prepared himſelf to ſuffer the fatal ſentence. Only three days interval was allowed him. The King, who made a new effort in his behalf, and ſent by the hands of the young Prince, a letter addreſſed to the peers, in which he entreated them to confer with the commons about a mitigation of Strafford's ſentence, and begged at leaſt for ſome delay, was refuſed in both requeſts †.

Execution of Strafford.

STRAFFORD, in paſſing from his apartment to Towerhill, where the ſcaffold was erected, ſtopped under Laud's windows, with whom he had long lived in intimate friendſhip; and entreated the aſſiſtance of his prayers, in thoſe awful moments, which were approaching: The aged primate diſſolved in tears; and having pronounced, with a broken voice, a tender bleſſing on his departing friend, ſunk into the arms of his attendants ‡. Strafford, ſtill ſuperior to his fate, marched on with an elated countenance, and with an air even of greater dignity, than what uſually attended him. He wanted that conſolation, which commonly ſupports thoſe, who periſh by the ſtroke of injuſtice and oppreſſion: He was not buoyed up by glory, nor by the affectionate compaſſion of the ſpectators: Yet his mind, erect and undaunted, found reſources within itſelf, and maintained its unbroken reſolution, amidſt the terrors of death, and the triumphant exultations of his miſguided enemies. His diſcourſe on the ſcaffold was full of decency and courage. "He feared," he ſaid, "that the omen was "bad for the intended reformation of the ſtate, that it commenced with the "ſhedding of innocent blood." Having bid a laſt adieu to his brother and friends, who attended him, and having ſent a bleſſing to his nearer relations, who were abſent; "And now," ſaid he, "I have nigh done! One ſtroke will make "my wife a widow, my dear children fatherleſs, deprive my poor ſervants of their "indulgent maſter, and ſeparate me from my affectionate brother and all my "friends! But let God be to you and them all in all!" Going to diſrobe and prepare himſelf for the block, "I thank God," ſaid he, "that I am no way "afraid of death, nor am daunted with any terrors; but do as chearfully lay "down my head at this time, as ever I did when going to repoſe!" With one blow was a period put to his life by the executioner §.

* Whitlocke, p. 44. † Ruſhworth, vol. v. p. 265. ‡ Nalſon, vol. ii. p. 198.
§ Ruſhworth, vol. v. p. 267.

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THUS perished, in the 49th year of his age, the famous Earl of Strafford, one of the most eminent personages, who has appeared in England. Tho' his death was loudly demanded as a satisfaction to justice, and an atonement for the many violations of the constitution; it may safely be affirmed, that the sentence, by which he fell, was an enormity greater than the worst of those, which his implacable enemies prosecuted with so much cruel industry. The people, in their rage, had totally mistaken the proper object of their resentment. All the necessities, or, more properly speaking, the difficulties, by which the King had been induced to use violent expedients for raising money, were the result of measures precedent to Strafford's favour; and if they arose from ill conduct, he, at least, was intirely innocent. Even those violent expedients themselves, which occasioned the complaint, that the constitution was subverted, had been, all of them, conducted, so far as appeared, without his counsel or assistance. And whatever his private advice might be *, this salutary maxim he failed not, often and publickly, to inculcate in the King's presence, that, if any inevitable necessity ever obliged the sovereign to violate the laws, this licence ought to be practised with extreme reserve, and, as soon as possible, a just atonement be made to the constitution, for any injury, which it might sustain from such dangerous precedents †. The first parliament after the restoration reversed the bill of attainder; and even a few weeks after Strafford's execution, this very parliament remitted to his children the more severe consequences of his sentence: As if conscious of the violence, with which the prosecution had been conducted.

IN vain did Charles expect, as a return for so many instances of unbounded compliance, that the parliament would at last show him some indulgence, and would cordially fall into that unanimity, to which, at the expence of his own power, and of his friend's life, he so earnestly courted them. All his concessions were poisoned by their suspicion of his insincerity; and the supposed attempt to engage the army against them, served with many as a confirmation of this jealousy. It was natural for the King to seek some resource, while all the world seemed to desert him, or combine against him: and this probably was the utmost of that embryo scheme, which was formed with regard to the army. But the popular leaders still insisted, that a desperate plot was laid to bring up the forces immediately, and offer violence to the parliament: A design of which Piercy's evidence acquits the King, and which the near neighbourhood of the Scots army seems to render absolutely impracticable ‡. By means, however, of these suspicions, was the

* That Strafford was secretly no enemy to arbitrary councils, appears from some of his letters and dispatches, particularly vol. ii. p. 60. where he seems to wish that a standing army were established.

† Rushw. vol. iv. p. 567, 568, 569, 570.

‡ The project of bringing up the army to London, according to Piercy, was proposed to the King; but he rejected it as foolish: Because the Scots, who were in arms, and lying in their neighbourhood, must

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the ſame implacable ſpirit ſtill kept alive; and the commons, without giving the King any ſatisfaction in the ſettlement of his revenue, proceeded to carry their inroads, with great vigour, into his now defenceleſs prerogative *.

High-commiſſion and ſtar-chamber aboliſhed.

THE two ruling paſſions of this parliament, were zeal for liberty, and an averſion to the church of England; and to both of theſe, nothing could appear more exceptionable, than the court of high-commiſſion, whoſe inſtitution rendered it intirely arbitrary, and aſſigned to it the defence of the eccleſiaſtical eſtabliſhment. The ſtar-chamber alſo was a court, which exerted very high diſcretionary powers; and had no preciſe rule or limit, either with regard to the cauſes, which came under its juriſdiction, or the deciſions, which it formed. A bill unanimouſly paſſed the houſes, to aboliſh theſe two courts; and in them to annihilate the principal and moſt dangerous articles of the King's prerogative. By the ſame bill, the juriſdiction of the council was regulated, and its authority abridged †. Charles heſitated before he gave his aſſent. But finding, that he had gone too far to retreat, and that he poſſeſſed no reſource in caſe of a rupture, he at laſt affixed the royal ſanction to theſe excellent bills. But to ſhow the parliament, that he was ſufficiently appriſed of the importance of his grant, he obſerved to them, that theſe new ſtatutes altered, in a great meaſure, the fundamental laws, eccleſiaſtical and civil, which many of his predeceſſors had eſtabliſhed ‡.

BY removing the ſtar-chamber, the King's power of binding the people by his proclamations, was indirectly aboliſhed; and that important branch of prerogative, the ſtrong ſymbol of arbitrary power, and unintelligible in a limited conſtitution, being at laſt removed, left the ſyſtem of government more conſiſtent and uniform. The ſtar-chamber alone was accuſtomed to puniſh infractions of the King's edicts: But as no courts of judicature now remained, except thoſe in Weſtminſter-hall, which take cognizance only of common and ſtatute law, the king may thenceforth iſſue proclamations, but no man is bound to obey them. It muſt, however, be confeſſed, that the experiment here made by the parliament, was not a little raſh and adventurous. No government, at that time, appeared in the world, nor is perhaps to be found in the records of any hiſtory, which ſubſiſted without the mixture of ſome arbitrary authority, committed to ſome magiſtrate; and it might reaſonably, beforehand, appear doubtful, whether human ſociety could ever arrive at that ſtate of perfection, as to ſupport itſelf with no other controul, than the general and rigid maxims of law and equity. But the

muſt be at London as ſoon as the Engliſh army. This reaſon is ſo ſolid and convincing, that it leaves no room to doubt of the veracity of Piercy's evidence; and conſequently acquits the King of this terrible plot of bringing up the army, which made ſuch a noiſe at that time, and was a pretence for ſo many violences.

* Clarendon, vol. i. p. 266. † Ibid. p. 283, 284. Whitlocke, p. 47. Ruſhw. vol. iii. p. 1383, 1384. ‡ Ruſhw. vol. v. p. 307.

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parliament juſtly thought, that the King was too eminent a magiſtrate to be truſted with diſcretionary power, which he might ſo eaſily turn to the deſtruction of liberty. And in the event it has been found, that, tho' ſome inconveniencies ariſe from the maxim of adhering ſtrictly to law, yet the advantages ſo much overbalance them, as ſhould render the Engliſh for ever grateful to the memory of their anceſtors, who, after repeated conteſts, at laſt eſtabliſhed that noble principle. Chap. V. 1641.

At the requeſt of the parliament, Charles, inſtead of the patents during pleaſure, gave all the judges patents during their good behaviour *. A circumſtance of the greateſt moment towards ſecuring their independancy, and barring the entrance of arbitrary power into the ordinary courts of judicature.

The marſhal's court, which took cognizance of offenſive words, and was not thought ſufficiently limited by law, was alſo, for that reaſon, aboliſhed †. The ſtannary courts, which exerciſed juriſdiction over the miners, being liable to a like objection, underwent a like fate. The abolition of the council of the north and the council of Wales followed from the ſame principles. The authority of the clerk of the market, who had a general inſpection over the weights and meaſures throughout the kingdom, was transferred to the mayors, ſheriffs, and ordinary magiſtrates.

In ſhort, if we take a ſurvey of the tranſactions of this memorable parliament, during the firſt period of their operations; we ſhall find, that, excepting Strafford's attainder, which was a complication of cruel iniquity, their merits, in other reſpects, ſo much overbalance their miſtakes, as to intitle them to very ample praiſes from all lovers of liberty. Not only former complaints were remedied and grievances redreſſed: Great proviſion, for the future, was made by excellent laws againſt the return of like complaints. And if the means, by which they obtained ſuch mighty advantages, favour often of artifice, ſometimes of violence; it is to be conſidered, that revolutions of government cannot be effected by the mere force of argument and reaſoning: And that factions being once excited, men can neither ſo firmly regulate the tempers of others, nor their own, as to enſure themſelves againſt all exorbitancies.

The parliament now came to a pauſe. The King had promiſed his Scots ſubjects, that he would this ſummer pay them a viſit in order to ſettle their government; and tho' the Engliſh parliament was very importunate with him, that he ſhould lay aſide that journey, they could not prevail with him ſo much as to delay it. As he muſt neceſſarily in his journey have paſſed thro' the troops of both nations, the commons ſeem to have entertained great jealouſy on that account, and to have now hurried on, as much as they formerly delayed, the diſbanding the armies. The arrears therefore of the Scots, were intirely paid them; and thoſe 8th of Aug. King's journey to Scotland.

* May, p. 107. † Nalſon, vol. i. p. 778.

Chap. V. 1641. of the Engliſh in part. The Scots returned home, and the Engliſh were ſeparated into their ſeveral counties, and diſmiſſed.

9th of Sept. AFTER this, the parliament adjourned to the 20th of October; and a committee of both houſes, a thing altogether unprecedented, was appointed to ſit during the receſs, with very ample powers *. Pym was appointed chairman of the committee of the lower houſe. Farther attempts were made by the parliament, while it ſat, and even by the commons alone, for aſſuming ſovereign executive powers, and publiſhing their ordinances, as they called them, inſtead of laws. The committee too, on their parts, were ready to imitate this example.

A SMALL committee of both houſes were appointed to attend the King into Scotland, in order, as it was pretended, to ſee that the articles of pacification were executed; but really to be ſpies upon him, and extend ſtill farther the ideas of parliamentary authority, as well as eclipſe the majeſty of the King. The Earl of Bedford, Lord Howard, Sir Philip Stapleton, Sir William Armyne, Fiennes, and Hambden, were the perſons choſen †.

ENDEAVOURS were uſed, before Charles's departure, to have a protector of the kingdom appointed, with a power to paſs laws without having recourſe to the King. So little regard was now paid to royal authority, or to the eſtabliſhed conſtitution of the kingdom.

AMIDST the great variety of affairs, which occurred during this buſy period, we have almoſt overlooked the marriage of the Princeſs Mary with William Prince of Orange. The King concluded not this alliance without communicating his intentions to the parliament, who received the propoſal with ſatisfaction ‡. This was the commencement of the connections with the family of Orange: Connections, which were afterwards attended with the moſt important conſequences, both to the kingdom and the houſe of Stuart.

CHAP. VI.

Settlement of Scotland.——Conſpiracy in Ireland.——Inſurrection and maſſacre.——Meeting of the Engliſh parliament.——The remonſtrance.——Reaſons on both ſides.——Impeachment of the biſhops.——Accuſation of the five members.——Tumults.——King leaves London.——Arrives in York.——Preparations for civil war.

1641. THE Scots, who firſt began theſe fatal commotions, thought that they had finiſhed a very perilous undertaking, much to their profit and reputation.

* Ruſhw. vol. v. p. 387. † Ruſhw. vol. v. p. 376. ‡ Whitlocke, p. 38.

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Beſides the large pay voted them for lying in good quarters during a twelvemonth, the Engliſh parliament had conferred on them a preſent of 300,000 pounds for their brotherly aſſiſtance *. In the articles of pacification they were declared to have ever been good ſubjects; and their military expeditions were approved of, as enterprizes calculated and intended for his Majeſty's honour and advantage: To carry farther the triumph over their ſovereign, theſe terms, ſo ignominious to him, were ordered, by a vote of parliament, to be read in all churches, upon a day of thankſgiving, appointed for the national pacification †: All their claims, for the reſtriction of prerogative, were agreed to be ratified: And what they more valued than all theſe advantages; they had a near proſpect of ſpreading the preſbyterian diſcipline in England and Ireland, from the ſeeds which they had ſcattered, of their religious principles. Never did refined Athens ſo exult in diffuſing the ſciences and liberal arts over a ſavage world: Never did generous Rome ſo pleaſe herſelf in the view of law and order eſtabliſhed by her victorious arms: As the Scots now rejoiced, in communicating their barbarous zeal, and theological fervour, to the neighbouring nations. Chap. VI. 1641.

CHARLES, deſpoiled in England of a conſiderable part of his authority, and dreading ſtill farther encroachments upon him, arrived in Scotland, with an intention of abdicating almoſt entirely the ſmall ſhare of power, which *there* remained to him, and of giving full ſatisfaction, if poſſible, to his reſtleſs ſubjects in that kingdom. Auguſt 14. Settlement of Scotland.

THE lords of articles were an ancient inſtitution in the Scots parliament. They were conſtituted after this manner. The lords choſe eight biſhops: The biſhops elected eight lords: Theſe ſixteen named eight commiſſioners of counties, and eight burgeſſes: And without the previous conſent of the thirty two, who were denominated lords of articles, no motion could be made in the parliament. As the biſhops were intirely devoted to the court, it is evident, that all the lords of articles, by neceſſary conſequence, depended on the King's nomination; and the prince, beſides one negative after the bills paſſed through the parliament, poſſeſſed indirectly another before their introduction; a prerogative of much greater conſequence than the former. The bench of biſhops being now aboliſhed, the parliament wiſely laid hold of the opportunity, and totally ſet aſide the lords of articles: And till this important point was obtained, the nation, properly ſpeaking, could not be ſaid to enjoy any regular freedom ‡.

'TIS remarkable, that, notwithſtanding this inſtitution, which had no parallel in England, the royal authority was always deemed much lower in Scotland than in the former kingdom. Bacon repreſents it as one advantage to be expected from the union, that the too extenſive prerogative of England would be abridged by

* Nalſon, vol. i. p. 747. May, p. 104. † Ruſhw. vol. v. p. 365. Clarendon, vol. ii. p. 293. ‡ Burnet. Mem.

Chap. VI. 1641.

the example of Scotland, and the too narrow prerogative of Scotland be enlarged from imitation of England. The Engliſh were, at that time, a civilized people, and obedient to the laws: But among the Scots, it was of little conſequence, how the laws were framed, or by whom voted; while the exorbitant ariſtocracy had it ſo much in their power to prevent their regular execution.

THE peers and commons formed only one houſe in the Scots parliament: And as it had been the practice of James, continued by Charles, to grace Engliſh gentlemen with Scots titles; all the determinations of parliament, it was to be feared, would in time depend upon the prince, by means of theſe votes of foreigners, who had no intereſt nor concern in the nation. It was therefore a law, deſerving great approbation, that no man ſhould be capable of being created a Scots peer, who poſſeſſed not 10,000 marks (above 500 pounds) of annual rent in the kingdom *.

A LAW for triennial parliaments was likewiſe paſſed; and it was ordained, that the laſt act of every parliament ſhould be to appoint the time and place for holding the parliament next enſuing †.

THE King was deprived of that power, formerly exerciſed, of iſſuing proclamations, which enjoined obedience, under the penalty of treaſon: A prerogative, which inveſted him with the whole legiſlative authority, even in matters of the higheſt conſequence ‡.

So far was laudable: But the moſt fatal blow given to royal authority, and what, in a manner, dethroned the Prince, was the article, that no member of the privy council, in whoſe hands, during the King's abſence, the whole adminiſtration lay, no officer of ſtate, none of the judges, ſhould be appointed but by advice and approbation of parliament. Charles even agreed to deprive, of their ſeats, four judges who had adhered to his intereſts: and their place was ſupplied by others more agreeable to the ruling party. Several of the covenanters were alſo ſworn of the privy council. And all the miniſters of ſtate, counſellors, and judges, were, by law, to hold their places during life or good behaviour §.

THE King, while in Scotland, conformed himſelf entirely to the eſtabliſhed church; and aſſiſted at the long prayers, and longer ſermons, with which the preſbyterians endeavoured to regale him. He beſtowed penſions and preferments on Henderſon, Gilleſpy, and other popular preachers; and practiſed every art to ſoften, if not to gain, his greateſt enemies. The Earl of Argyle was created a marqueſs, Lord Loudon an earl, Leſley was dignified with the title of Earl of Leven ‖. His friends, he was obliged, for the preſent, to neglect and overlook: Some of them were diſguſted: And his enemies were not reconciled; but aſcribed all his careſſes and favours to artifice and neceſſity.

* Burnet, Mem. † Ibid. ‡ Ibid. § Ibid. ‖ Clarendon, vol. ii. p. 309.

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ARGYLE and Hamilton, being ſeized with an apprehenſion, real or counterfeit, that the Earl of Crawford and others intended to aſſaſſinate them, left the parliament ſuddenly, and retired into the country: But upon invitation and aſſurances, returned in a few days. This event, which had neither cauſe nor effect that was viſible, nor purpoſe, nor conſequence, was commonly denominated the *incident*. But tho' this event had no effect in Scotland; what was not expected, it was attended with conſequences in England. The Engliſh parliament, which was now aſſembled, being willing to awaken the people's tenderneſs by exciting their fears, immediately took the alarm; as if the malignants, ſo they called the King's party, had laid a plot at once to murder them and all the godly in both kingdoms. They applied, therefore, to Eſſex, whom the King had left general in the ſouth of England; and he ordered a guard to attend them *. Chap. VI. 1641. October 20.

BUT while the King was employed in pacifying the commotions in Scotland, and was preparing to return to England, in order to apply himſelf to the ſame ſalutary work in that kingdom; he received intelligence of a dangerous rebellion broke out in Ireland, with circumſtances of the utmoſt horror, bloodſhed, and devaſtation. On every ſide, this unfortunate Prince was purſued with murmurs, diſcontent, faction, and civil wars; and the fire, from all quarters, even by the moſt independent accidents, at once blazed up about him.

THE great plan of James, in the adminiſtration of Ireland, continued by Charles, was, by juſtice and peace, to reconcile that turbulent people to the authority of laws, and, introducing art and induſtry among them, to cure that ſloth and barbariſm to which they had ever been ſubject. In order to ſerve both theſe purpoſes, and, at the ſame time, ſecure the dominion of Ireland to the Engliſh crown, great colonies of Britiſh had been carried over, and being intermixed with the Iriſh, had every where introduced a new face of things into that country. During a peace of near forty years, the inveterate quarrels between the nations ſeemed, in a great meaſure, to be obliterated; and tho' much of the landed property, forfeited by rebellion, had been conferred on the new planters, a more than equal return had been made, by their inſtructing the natives in tillage, building, manufactures, and all the civilized arts of life †. This had been the courſe of things during the ſucceſſive adminiſtrations of Chicheſter, Grandiſon, Falkland, and, above all, of Strafford. Under the government of this laſt nobleman, the pacific plans, now come to greater maturity, and forwarded by his vigour and induſtry, ſeemed to have operated with full ſucceſs, and to have beſtowed, at laſt, on that ſavage country, the face of an European ſettlement.

* Whitlocke, p. 49. Dudgale, p. 72. Burnet's memoirs of the houſe of Hamilton, p. 184, 185. Clarendon, p. 299.

† Sir John Temple's Iriſh rebellion, p. 12.

AFTER

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AFTER Strafford fell a victim to popular rage, the humours, excited in Ireland by that great event, could not ſuddenly be compoſed, but continued to produce the greateſt innovations in the government.

THE Britiſh proteſtants tranſplanted into Ireland, having every moment before their eyes all the horrors of popery, had naturally been carried into the oppoſite extreme, and had univerſally adopted the higheſt principles and practices of the puritans. Monarchy, as well as the hierarchy, was become odious to them; and every method of limiting the authority of the crown, and detaching themſelves from the King of England, was greedily adopted and purſued. They conſidered, not, that as they ſcarce compoſed the ſixth part of the people, and were ſecretly obnoxious to the antient inhabitants; their only method of ſupporting themſelves was by maintaining royal authority, and preſerving a great dependence on their mother-country. The Engliſh commons likewiſe, in their furious proſecution of Strafford, had overlooked the moſt obvious conſequences; and, while they imputed to him, as a crime, every diſcretionary act of authority, they deſpoiled all ſucceeding governors of that power, by which alone the Iriſh could be retained in ſubjection. And ſo ſtrong was the current for popular government in all the three kingdoms, that the moſt eſtabliſhed maxims of policy were every where abandoned, in order to gratify this ruling paſſion.

CHARLES, unable to reſiſt, had been obliged to yield to the Iriſh, as to the Scots and Engliſh parliaments; and found too, that their encroachments ſtill roſe in proportion to his conceſſions. Thoſe ſubſidies, which themſelves had voted, they reduced, by a ſubſequent vote, to a fourth part: The court of high commiſſion was determined to be a grievance: Martial law aboliſhed: The juriſdiction of the council annihilated: Proclamations and acts of ſtate declared of no authority: Every order or inſtitution, which depended on monarchy, was invaded; and the Prince was deſpoiled of all his prerogative, without the leaſt pretext of any violence or illegality in his adminiſtration.

THE ſtanding army of Ireland was uſually about 3000 men; but in order to aſſiſt the King in ſuppreſſing the Scots covenanters, Strafford had raiſed 8000 more, and had incorporated with them a thouſand men, drawn from the old army; a neceſſary expedient for beſtowing order and diſcipline on the new-levied ſoldiers. The private men in this army were all catholics; but the officers, both commiſſion and non-commiſſion, were proteſtants, and could entirely be depended on by Charles. The Engliſh commons entertained the greateſt apprehenſions on account of this army; and never ceaſed ſoliciting the King, till he agreed to break it: Nor would they conſent to any propoſals for augmenting the ſtanding army to 5000 men; a number which the King judged requiſite for retaining Ireland in obedience.

CHARLES, thinking it dangerous, that 8000 men, accuſtomed to idleneſs, and trained to the uſe of arms, ſhould be diſperſed among a nation ſo turbulent and unſettled, agreed with the Spaniſh ambaſſador to have them tranſported into Flanders, and inliſted in his maſter's ſervice. The Engliſh commons, apprehenſive, that regular bodies of troops, diſciplined in the Low Countries, would prove ſtill more dangerous, ſhowed ſome averſion to this expedient; and the King reduced his allowance to 4000 men. But when the Spaniards had hired ſhips for tranſporting theſe troops, and the men were ready for embarkation; the commons, willing to ſhow their power, and not diſpleaſed with an opportunity of curbing and affronting the King, prohibited every one from furniſhing veſſels for that ſervice. And thus the project, formed by Charles, of freeing the country from theſe men, was unfortunately diſappointed *. Chap. VI. 1641.

THE old Iriſh catholics remarked all theſe falſe ſteps of the Engliſh, and reſolved to take advantage of them. Tho' their animoſity againſt that nation, for want of an occaſion to exert itſelf, ſeemed to be extinguiſhed, it was only compoſed into a temporary and deceitful tranquillity †. Their intereſts, both with regard to *property* and to *religion*, ſecretly ſtimulated them to a revolt. No individual of any ſept, according to the ancient cuſtoms, had the property of any particular eſtate; but as the whole ſept had a title to a whole territory, they ignorantly preferred this barbarous community before the more ſecure and narrower poſſeſſions aſſigned them by the Engliſh. An indulgence, amounting almoſt to a toleration, had been given the catholic religion: But ſo long as the churches and the eccleſiaſtical revenues were kept from the prieſts, and they were obliged to endure the neighbourhood of profane heretics; being themſelves diſcontented, they endeavoured continually to retard any cordial reconcilement between the Engliſh and the Iriſh nations.

THERE was a gentleman, called Roger More, who, tho' of a narrow fortune, was deſcended from a very ancient Iriſh family, and was much celebrated among his countrymen for valour and capacity. This man firſt formed the project of expelling the Engliſh, and aſſerting the independency of his native country ‡. He ſecretly went from chieftain to chieftain, and rouzed up every latent principle of diſcontent. He maintained a cloſe correſpondence with Lord Maguire and Sir Phelim Oneale, the moſt powerful of the old Iriſh. By converſation, by letters, by his emiſſaries, he repreſented to his countrymen the motives of a revolt. He obſerved to them, That, by the rebellion of the Scots, and factions of the Engliſh, the King's authority in Britain was reduced to ſo low a condition, that he never could exert himſelf with any vigour, in maintaining the Engliſh dominion Conſpiracy in Ireland.

* Clarendon, vol. i. p. 281. Ruſhw. vol. v. p. 381. Dudgale, p. 75. May, book ii. p. 3.
† Temple, p. 14. ‡ Nalſon, vol. ii. p. 543.

over

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over Ireland; that the catholics, in the Iriſh houſe of commons, aſſiſted by the proteſtants, had ſo diminiſhed the royal prerogative and the power of the lieutenant, as would much facilitate the conducting, to its deſired effect, any conſpiracy or combination, which could be formed; that the Scots, having ſo ſucceſsfully thrown off dependance on the crown of England, and aſſumed the government into their own hands, had ſet an example to the Iriſh, who had ſo much greater oppreſſions to complain of; that the Engliſh planters, who had expelled them their poſſeſſions, ſuppreſſed their religion, and bereaved them of their liberties, were but a handful in compariſon of the natives; that they lived in the moſt ſupine ſecurity, interſperſed with their numerous enemies, truſting to the protection of a ſmall army, which was itſelf ſcattered in inconſiderable diviſions throughout the whole kingdom; that a great body of men, diſciplined by the government, were now thrown looſe, and were ready for any daring or deſperate enterprize; that tho' the catholics had hitherto enjoyed, in ſome tolerable meaſure, the exerciſe of their religion, from the moderation of their indulgent prince, they muſt henceforth expect, that the government will be conducted by other maxims and other principles; that the puritanical parliament, having at laſt ſubdued their ſovereign, would, no doubt, ſo ſoon as they had conſolidated their authority, extend their ambitious enterprizes to Ireland, and make the catholics in that kingdom feel the ſame furious perſecution, to which their brethren in England were at preſent expoſed; and that a revolt in the Iriſh, tending only to vindicate their native liberty againſt the violence of foreign invaders, could never, at any time, be deemed rebellion; much leſs, during the preſent confuſions, when their prince was, in a manner, a priſoner, and obedience muſt be paid, not to him, but to thoſe, who had traiterouſly uſurped his lawful authority †.

By theſe conſiderations, More engaged all the heads of the native Iriſh into the conſpiracy. The Engliſh of the pale, as they were called, or the old Engliſh planters, being all catholics, it was hoped, would afterwards join the party, which reſtored their religion to its antient ſplendor and authority. The intention was, that Sir Phelim Oneale and other conſpirators, ſhould begin an inſurrection on one day, throughout the provinces, and ſhould attack all the Engliſh ſettlements; and that, on the very ſame day, Lord Maguire and Roger More ſhould ſurprize the caſtle of Dublin. The commencement of this revolt they fixed on the approach of winter; that there might be more difficulty in tranſporting forces from England. Succours to themſelves and ſupplies of arms they expected from France, in conſequence of a promiſe made them by Cardinal Richelieu. And many Iriſh officers, who ſerved in the Spaniſh troops, had given aſſurances of their concurrence, ſo ſoon as they ſaw an inſurrection entered upon by their catholic

† Temple, p. 72, 73, 78. Dugdale, p. 73.

brethren.

brethren. News, which, every day, arrived from England, of the fury, expreſſed by the commons againſt all papiſts, ſtruck freſh terror into the Iriſh nation, and both ſtimulated the conſpirators to execute their fatal purpoſe, and gave them aſſured hopes of the concurrence of their countrymen *. Chap. VI. 1641.

Such propenſity to a revolt was diſcovered in all the Iriſh, that it was deemed unneceſſary, as it was dangerous, to entruſt the ſecret to many hands; and the appointed day drew nigh, nor had any diſcovery been yet made to the government. The King, indeed, had received information from his ambaſſadors, that ſomething was in agitation among the Iriſh in foreign parts; but tho' he gave warning to the adminiſtration in Ireland, the intelligence was intirely neglected †. Secret rumours, likewiſe, were heard of ſome approaching conſpiracy; but no attention was paid to them. The earl of Leiceſter, whom the King had appointed lieutenant, remained in London. The two juſtices, Sir William Parſons and Sir John Borlace were men of ſmall ability, and, by an inconvenience common to all factious times, owed their advancement to nothing but their zeal for that party, by whom every thing was now governed. Tranquil from their ignorance and inexperience, theſe men indulged themſelves in the moſt profound repoſe, on the very brink of deſtruction.

But they were awakened from their ſecurity, the very day before that appointed for the commencement of hoſtilities. The caſtle of Dublin, by which the capital was commanded, contained arms for 10,000 men, with thirty-five pieces of cannon, and a proportionable quantity of ammunition: Yet was this important place guarded, and that too without any care, by no greater force than fifty men. Maguire and More were already in town with a numerous band of their retainers: Others were expected that night: And, next morning, they were to enter upon, what they eſteemed the eaſieſt of all enterprizes, the ſurprizal of the caſtle. Oconolly, an Iriſhman, but a proteſtant, betrayed the ſecret to Parſons ‡. The juſtices and council, for ſafety, fled immediately into the caſtle, and reinforced the guards. The alarm was conveyed to the city, and all the proteſtants prepared for defence. More eſcaped: Maguire was taken; and Mahone, one of the conſpirators, being likewiſe ſeized, firſt diſcovered, to the juſtices, the project of a general inſurrection, and redoubled the apprehenſions, which were already univerſally diffuſed throughout Dublin ‖.

But tho' Oconolly's diſcovery ſaved the caſtle from a ſurprize, the confeſſion, extorted from Mahone, came too late to prevent the intended inſurrection. Oneale and his confederates had already taken arms in Ulſter. The Iriſh, every Iriſh inſurrection and maſſacre.

* Dugdale, p. 74. † Ruſhw. vol. v. p. 408. Nalſon, vol. ii. p. 565.
‡ Ruſhw. vol. v. p. 399. Nalſon, vol. ii. p. 520. May, book ii. p. 6.
‖ Temple, p. 17, 18, 19, 20. Ruſhw. vol. v. p. 400.

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where intermingled with the Engliſh, needed but a hint from their leaders and prieſts to begin hoſtilities againſt a people, whom they hated on account of their religion, and envied for their riches and proſperity *. The houſes, cattle, goods, of the unwary Engliſh were firſt ſeized. Thoſe, who heard of the commotions in their neighbourhood, inſtead of deſerting their habitations, and flocking together for mutual protection, remained at home, in hopes of defending their property; and fell thus ſeparately into the hands of their enemies †. After rapacity had fully exerted itſelf, cruelty, and the moſt barbarous, that ever, in any nation, was known or heard of, began its operations. An univerſal maſſacre commenced of the Engliſh, now defenceleſs and paſſively reſigned to their inhuman foes. No age, no ſex, no condition, was ſpared. The wife, weeping for her butchered huſband, and embracing her helpleſs children, was pierced with them, and periſhed by the ſame ſtroke ‡. The old, the young, the vigorous, the infirm, underwent a like fate, and were confounded in one common ruin. In vain did flight ſave from the firſt aſſault: Deſtruction was, every where, let looſe, and met the hunted victims at every turn. In vain was recourſe had to relations, to companions, to friends: All connexions were diſſolved, and death was dealt by that hand, from which protection was implored and expected. Without provocation, without oppoſition, the aſtoniſhed Engliſh, living in profound peace and full ſecurity, were maſſacred by their neareſt neighbours, with whom they had long upheld a continued intercourſe of kindneſs and good offices ‖.

But death was the lighteſt puniſhment, inflicted by thoſe more than barbarous ſavages: All the tortures, which wanton cruelty could deviſe, all the lingering pains of body, the anguiſh of mind, the agonies of deſpair, could not ſatiate revenge excited without injury, and cruelty derived from no cauſe. To enter into particulars would ſhock the leaſt delicate humanity. Such enormities, tho' atteſted by undoubted evidence, appear almoſt incredible. Depraved nature, even perverted religion, tho' encouraged by the utmoſt licence, reach not to ſuch a pitch of ferocity; unleſs the pity, inherent in human breaſts, be deſtroyed by that contagion of example, which tranſports men beyond all the uſual motives of conduct and behaviour.

The weaker ſex themſelves, naturally tender to their own ſufferings, and compaſſionate to thoſe of others, here emulated their more robuſt companions, in the practice of every cruelty §. Even children, taught by the example, and encouraged by the exhortation, of their parents, eſſayed their feeble blows on the dead carcaſſes or defenceleſs children of the Engliſh ¶. The very avarice of the Iriſh was not a ſufficient reſtraint to their cruelty. Such was their frenzy, that the cattle, which they had ſeized, and by rapine had made their own, yet, becauſe

* Temple, p. 39, 40. 79. † Id. p. 42. ‡ Id. p. 40. ‖ Id. p. 39, 40.
§ Temple, p. 96. 101. Ruſhw. vol. v. p. 415. ¶ Temple, p. 100.

they

they bore the name of Engliſh, were wantonly ſlaughtered, or, when covered with wounds, turned looſe into the woods and deſarts *. Chap. VI. 1641.

The ſtately buildings or commodious habitations of the planters, as if upbraiding the ſloth and ignorance of the natives, were conſumed with fire, or laid level with the ground. And where the miſerable owners, ſhut up in their houſes, and preparing for defence, periſhed in the flames, together with their wives and children, a double triumph was afforded to theſe inſulting butchers †.

If any where a number aſſembled together, and, aſſuming courage from deſpair, were reſolved to ſweeten death by a revenge on their aſſaſſins; they were diſarmed by capitulations, and promiſes of ſafety, confirmed by the moſt ſolemn oaths. But no ſooner had they ſurrendered, than the rebels, with perfidy equal to their cruelty, made them ſhare the fate of their unhappy countrymen ‡.

Others, more ingenious ſtill in their barbarity, tempted their priſoners, by the fond love of life, to embrue their hands in the blood of friends, brothers, parents; and having thus rendered them accomplices in guilt, gave them that death, which they ſought to ſhun by deſerving it ‖.

Amidst all theſe enormities, the ſacred name of Religion reſounded on every ſide; not to ſtop the hands of theſe ſavages, but to enforce their blows, and to ſteel their hearts againſt every movement of human or ſocial ſympathy. The Engliſh, as heretics, abhorred of God, and deteſtable to all holy men, were marked out by the prieſts for ſlaughter; and, of all actions, to rid the world of theſe declared enemies to catholic faith and piety, was repreſented as the moſt meritorious §. Nature, which, in that rude people, was ſufficiently inclined to atrocious deeds, was farther ſtimulated by precept; and national prejudices empoiſoned by thoſe averſions, more deadly and incurable, which aroſe from an enraged ſuperſtition. While death finiſhed the ſufferings of each victim, the bigotted aſſaſſins, with joy and exultation, ſtill echoed in his expiring ears, that theſe agonies were but the commencement of torments, infinite and eternal ¶.

Such were the barbarities, by which Sir Phelim Oneale and the Iriſh in Ulſter ſignalized their rebellion: An event, memorable in the annals of human kind, and worthy to be held in perpetual deteſtation and abhorrence. The generous nature of More was ſhocked at the recital of ſuch enormous cruelties. He flew to Oneale's camp; but found, that his authority, which was ſufficient to excite the Iriſh to an inſurrection, was too feeble to reſtrain their inhumanity. Soon after, he abandoned a cauſe, polluted with ſo many crimes; and he retired into Flanders. Sir Phelim, recommended by the greatneſs of his family, and perhaps too, by the unreſtrained brutality of his nature; tho' without any courage or ca-

* Temple, p. 84. † Temple, p. 99. 106. Ruſhw. vol. v. p. 414.
‡ Whitlocke, p. 47. Ruſhw. vol. v. p. 416. ‖ Temple, p. 100. § Id. 85. 106.
¶ Temple, p. 94, 107, 108. Ruſhw. vol. v. p. 407.

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pacity, acquired the intire aſcendant over the northern rebels *. The Engliſh colonies were totally annihilated in the open country of Ulſter: The Scots, at firſt, met with more favourable treatment. In order to engage them to a paſſive neutrality, the Iriſh pretended to diſtinguiſh between the Britiſh nations; and claiming friendſhip and conſanguinity with the Scots, extended not over them the fury of their maſſacres. Many of them found an opportunity to fly the country: Others retired into places of ſecurity, and prepared themſelves for defence: And by this means the Scots planters, moſt of them at leaſt, eſcaped with their lives †.

FROM Ulſter, the flames of rebellion diffuſed themſelves, in an inſtant, over the other three provinces of Ireland. In all places, death and ſlaughter were not uncommon; tho' the Iriſh, in theſe other provinces, pretended to act with more moderation and humanity. But cruel and barbarous was their humanity! Not contented with expelling the Engliſh their houſes, with deſpoiling them of their goodly manors, with waſting their cultivated fields; they ſtripped them of their very cloaths, and turned them out naked and defenceleſs, to all the ſeverities of the ſeaſon ‡. The heavens themſelves, as if conſpiring againſt that unhappy people, were armed with cold and tempeſt, unuſual to the climate, and executed what the mericileſs ſword of the barbarians had left unfiniſhed ‖. The roads were covered with crowds of naked Engliſh, haſtening towards Dublin and the other cities, which yet remained in the hands of their countrymen. The feeble age of children, the tender ſex of women, ſoon ſunk under the multiplied rigours of cold and hunger. Here, the huſband, bidding a final adieu to his expiring family, envied them that fate, which he himſelf expected ſo ſoon to ſhare: There, the ſon, having long ſupported his aged parent, with reluctance obeyed his laſt commands, and abandoning him in this uttermoſt diſtreſs, reſerved himſelf to the hopes of avenging that death, which all his efforts could not prevent nor delay. The aſtoniſhing greatneſs of the calamity deprived the ſufferers of any relief from the view of companions in affliction. With ſilent tears, or lamentable cries, they hurried on thro' the hoſtile territories; and found every heart, which was not ſteel'd by native barbarity, guarded by the more implacable furies of miſtaken piety and religion §.

THE ſaving of Dublin preſerved in Ireland the remains of the Engliſh name. The gates of that city, tho' timorouſly opened, received the wretched ſupplicants, and diſcovered to the view a ſcene of human miſery, beyond what any eye had ever before beheld ¶. Compaſſion ſeized the amazed inhabitants, aggravated with the fear of like calamities; while they obſerved the numerous foes, without and within, which every where invironed them, and reflected on the weak reſources, by which they were themſelves ſupported. The more vigorous of the unhappy

* Temple, p. 44. † Temple, p. 41. Ruſhw. vol. i. p. 416.
‡ Temple, p. 42. ‖ Id. p. 64. § Id. p. 88. ¶ Id. p. 62.

fugitives,

fugitives, to the number of three thouſand, were inliſted into three regiments: The reſt were diſtributed into the houſes; and all care was taken, by diet and warmth, to recruit their feeble and torpid limbs. Diſeaſes of unknown name and ſpecies, derived from theſe multiplied diſtreſſes, ſeized many of them, and put a ſpeedy period to their lives: Others, having now leiſure to reflect on their mighty loſs of friends and fortune, curſed that being, which they had ſaved. Abandoning themſelves to deſpair, refuſing all ſuccour, they expired; without other conſolation, than that of receiving, among their countrymen, the honours of a grave, which, to their ſlaughtered companions, had been denied by the inhuman barbarians *. Chap. VI. 1641.

By ſome computations, thoſe, who periſhed by all thoſe cruelties, are made to amount to an hundred and fifty or two hundred thouſand: By the moſt moderate, and probably the moſt reaſonable account, they muſt have been near forty thouſand.

The juſtices ordered to Dublin all the bodies of the army, which were not ſurrounded by the rebels; and they aſſembled a force of 1500 veterans. They ſoon inliſted, and armed from the magazines above 4000 men more. They diſpatched a body of 600 men to throw relief into Tredagh, beſieged by the Iriſh. But theſe troops, attacked by the enemy, were ſeized with a panic, and were moſt of them put to the ſword. Their arms, falling into the hands of the Iriſh, ſupplied them with what they moſt wanted †. The juſtices afterwards thought of nothing more than of providing for their own ſecurity and that of the capital. The Earl of Ormond, their general, remonſtrated againſt ſuch timid councils; but was obliged to ſubmit to authority.

The Engliſh of the pale, who probably were not, at firſt, in the ſecret, pretended to blame the inſurrection, and to deteſt the barbarity, with which it was accompanied ‡. By their proteſtations and declarations, they engaged the juſtices to ſupply them with arms, which they promiſed to employ in defence of the government ‖. But in a little time, the intereſts of religion were found more prevalent over them than regard and duty to their native country. They choſe Lord Gormanſtone their leader; and, joining the old Iriſh, rivaled them in every act of cruelty towards the Engliſh proteſtants. Beſides many ſmaller bodies, diſperſed over the whole kingdom, the principal army of the rebels amounted to 20,000 men, and threatened Dublin with an immediate ſiege §.

Both the Engliſh and Iriſh rebels conſpired in one impoſture, with which they ſeduced many of their deluded countrymen: They pretended authority from the King and Queen, but chiefly from the latter, for their inſurrection; and they

* Temple, p. 43, 62. † Nalſon, vol. ii. p. 905.
‡ Temple, p. 33. Ruſhw. vol. v. p. 402. ‖ Temple, p. 60. Borlaſe, Hiſt. p. 28.
§ Whitlocke, p. 49.

affirmed,

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affirmed, that the cauſe of their taking arms, was to vindicate royal prerogative, now invaded by the puritanical parliament *. Sir Phelim Oneale, having found a royal patent in Lord Caufield's houſe, whom he had murdered, tore off the ſeal, and affixed to it a commiſſion, which he had forged for himſelf †.

THE King received an account of this inſurrection by a meſſenger, diſpatched from the north of Ireland. He immediately communicated his intelligence to the Scots parliament. He expected that the mighty zeal, expreſſed by the Scots, for the proteſtant religion, would immediately engage them to fly to its defence, where it was ſo violently invaded: He hoped, that their horror againſt popery, a religion which now appeared in its moſt horrible aſpect, would ſecond all his exhortations: He had obſerved with what alacrity they had twice run to arms, and aſſembled troops in oppoſition to the rights of their ſovereign: He ſaw with how much greater facility they could now collect forces, which had been very lately diſbanded, and which had been ſo long enured to military diſcipline. The cries of their affrighted and diſtreſſed brethren in Ireland, he promiſed himſelf, would powerfully incite them to ſend over ſuccours, which could arrive ſo quickly, and aid them with ſuch promptitude in this uttermoſt diſtreſs. But the zeal of the Scots, as is uſual among religious ſects, was very feeble, when not ſtimulated either by faction or by intereſt. They now conſidered themſelves intirely as a republic, and made no account of the authority of their prince, which they had utterly annihilated. Conceiving hopes from the preſent diſtreſſes of Ireland, they reſolved to make an advantageous bargain for the ſuccours, with which they ſhould ſupply their neighbouring nation. And they caſt their eye on the Engliſh parliament, with whom they were already ſo cloſely connected, and who could alone fulfil any articles, which might be agreed on. Except diſpatching a ſmall body to ſupport the Scots colonies in Ulſter, they would, therefore, go no farther, at preſent, than to ſend commiſſioners to London, in order to treat with that power, to whom the ſovereign authority was now, in reality, transferred ‡.

THE King too, ſenſible of his utter inability to ſubdue the Iriſh rebels, found himſelf obliged, in this exigency, to have recourſe to the Engliſh parliament, and depend on their aſſiſtance for ſupply. After communicating to them the intelligence, which he had received, he informed them, that the inſurrection was not, in his opinion, the reſult of any raſh enterprize, but of a formed conſpiracy againſt the crown of England. To their care and wiſdom, therefore, he ſaid, he committed the conduct and proſecution of the war, which, in a cauſe ſo important to national and religious intereſts, muſt, of neceſſity, be immediately entered upon and vigorouſly purſued ‖.

* Ruſhw. vol. v. p. 400, 401. † Id. p. 402. ‡ Id. p. 407.
‖ Clarendon, vol. ii. p. 301.

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THE Engliſh parliament was now aſſembled; and diſcovered, in every vote, the ſame diſpoſitions, in which they had ſeparated. The exalting their own authority, the diminiſhing the King's, were ſtill the objects purſued by the majority. Every attempt, which had been made to gain the popular leaders, and by offices to attach them to the crown, had failed of ſucceſs, either for want of ſkill in conducting it, or by reaſon of the ſlender preferments, which it was then in the King's power to confer. The ambitious and enterprizing patriots diſdained to accept, in detail, of a precarious power; while they eſteemed it ſo eaſy, by one bold and vigorous aſſault, to poſſeſs themſelves for ever of the entire ſovereignty of the ſtate. Senſible, that the meaſures, which they had hitherto purſued, rendered them extremely obnoxious to the King; were many of them in themſelves exceptionable; ſome of them, ſtrictly ſpeaking, illegal; they reſolved to ſeek their own ſecurity, as well as greatneſs, by enlarging popular authority in England. The great neceſſities, to which the King was reduced; the violent prejudices, which generally, throughout the nation, prevailed againſt him; his facility in making the moſt important conceſſions; the example of the Scots, whoſe encroachments had totally ſubverted monarchy: All theſe circumſtances farther inſtigated the commons in their invaſion of royal prerogative. And the danger, to which the conſtitution ſeemed to have been ſo lately expoſed, perſuaded many, that it never could be ſufficiently ſecured, but by the intire abolition of that authority, which had invaded it.

BUT this project, it had not been in the power, ſcarce in the intention, of the popular leaders to execute, had it not been for the paſſion, which ſeized the nation, for preſbyterian diſcipline, and for the wild enthuſiaſm, which, at that time, accompanied it. The licence, which the parliament had beſtowed on this ſpirit, by checking eccleſiaſtical authority; the countenance and encouragement, with which they had honoured it; had already diffuſed its influence to a wonderful degree: And all orders of men had drunk deep of the intoxicating poiſon. In each diſcourſe or converſation, this mode of religion entered; in all buſineſs, it had a ſhare; every elegant pleaſure or amuſement, it utterly annihilated; many vices or corruptions of mind, it promoted; even diſeaſes and bodily diſtempers were not totally exempted from it; and it became requiſite, we are told, for all phyſicians to be expert in the ſpiritual profeſſion, and, by theological conſiderations, to allay thoſe religious terrors, with which their patients were ſo generally haunted. Learning itſelf, which tends ſo much to enlarge the mind, and humanize the temper, rather ſerved, on this occaſion, to exalt that epidemical frenzy, which prevailed. Rude as yet, and imperfect, it ſupplied the diſmal fanaticiſm with a variety of views, founded it on ſome coherency of ſyſtem, enriched it with different figures of elocution; advantages, with which a people, totally ignorant and barbarous, had been happily unacquainted.

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FROM policy, at firſt, and inclination, now from neceſſity, the King attached himſelf extremely to the hierarchy: For like reaſons, his enemies made account, by one and the ſame effort, to overpower the church and monarchy.

WHILE the commons were in this diſpoſition, the Iriſh rebellion was the event, which tended moſt to promote the views, in which all their meaſures terminated. A horror againſt the papiſts, however innocent, they had conſtantly encouraged; a terror againſt the conſpiracies of that ſect, however improbable, they had at all times, endeavoured to excite. Here was broke out a rebellion, dreadful and unexpected; accompanied with circumſtances the moſt deteſtable, of which there ever was any record: And what was the peculiar guilt of the Iriſh catholics, it was no difficult matter in the preſent diſpoſition of mens minds, to attribute to that whole ſect, who already were ſo much the object of general abhorrence. Accuſtomed, in all invectives, to join the prelatical party with the papiſts, the people immediately ſuppoſed this inſurrection to be the reſult of their united councils. And when they heard, that the Iriſh rebels pleaded the King's commiſſion for all their violences; bigotry, ever credulous and malignant, aſſented without ſcruple to that groſs impoſture, and loaded the unhappy prince with the whole enormity of a contrivance, ſo barbarous and inhuman *.

BY

* It is now ſo univerſally allowed, notwithſtanding ſome muttering to the contrary, that the King had no hand in the Iriſh rebellion, that it will be ſuperfluous to inſiſt on a point, which ſeems ſo clear. I ſhall only ſuggeſt a very few arguments, among an infinite number, which occur. (1) Ought the affirmation of perfidious, infamous rebels, ever to have paſſed for any authority? (2) No body can tell us what the words of the pretended commiſſion were. That commiſſion which we find in Ruſhworth, vol. v. p. 400. and in Milton's works, Toland's edition, is plainly an impoſture; becauſe it pretends to be dated in October 1641, yet mentions facts, which happened not till ſome months after. It appears that the Iriſh rebels, obſerving ſome inconſiſtence in their firſt forgery, were obliged to forge this commiſſion a-new, yet could not render it coherent nor probable. (3) Nothing could more obviouſly be pernicious to the King's cauſe than the Iriſh rebellion; becauſe it increaſed his neceſſities, and rendered him ſtill more dependent on the parliament, who had before ſufficiently ſhown on what terms they would aſſiſt him. (4) The inſtant the king heard of the rebellion, which was a very few days after its commencement, he wrote to the parliament, and gave over to them the management of the war. Had he built any projects on that rebellion, would he not have waited ſome little time, to ſee how they would ſucceed? Would he preſently have adopted a meaſure, which was obviouſly ſo hurtful to his authority? (5) What can be imagined to be the King's projects? To raiſe the Iriſh to arms, I ſuppoſe, and bring them over to England for his aſſiſtance. But is it not plain, that the King never intended to raiſe war in England? Had that been his intention, would he have rendered the parliament perpetual? Does it not appear by the whole train of events, that the parliament forced him into the war? (6) The King conveyed to the juſtices intelligence, which ought to have prevented the rebellion. (7) The Iriſh catholics, in all their future tranſactions with the King, where they endeavour to excuſe their inſurrection, never had the aſſurance to plead his commiſſion. Even among themſelves they dropped that pretext. It appears that Sir Phelim Oneale, chiefly, and he only at firſt, promoted that impoſture. See Carte's Ormond, vol. iii. N° 100, 111, 112, 114, 115, 121, 132, 137. (8) Oneale himſelf confeſſed the impoſture on his trial and at his execution.

See

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By the difficulties and diſtreſſes of the crown, the commons, who poſſeſſed alone the power of ſupply, had aggrandized themſelves; and it ſeemed a peculiar happineſs, that the Iriſh rebellion had ſucceeded, at ſo critical a juncture, to the pacification of Scotland. That expreſſion of the King, by which he committed to them the care of Ireland, they immediately laid hold of, and interpreted in the moſt unlimited ſenſe. They had, on other occaſions, been gradually encroaching on the executive power of the crown, which forms its principal and moſt natural branch of authority, but with regard to Ireland they had once aſſumed it, fully and intirely, as if delivered over to them by a regular gift or aſſignment. And to this uſurpation the King was obliged paſſively to ſubmit; both becauſe of his inability to reſiſt, and leſt he ſhould expoſe himſelf ſtill more to the reproach of favouring the progreſs of that odious rebellion.

The project of introducing farther innovations in England being once formed by the leaders among the commons, it became a neceſſary conſequence, that their operations with regard to Ireland would, all of them, be conſidered as ſubordinate to the former, on whoſe ſucceſs, when once undertaken, their own grandeur, ſecurity, and even being, muſt intirely depend. While they pretended the utmoſt zeal againſt the Iriſh inſurrection, they took no ſteps towards its ſuppreſſion, but ſuch as likewiſe tended to give them the ſuperiority in thoſe commotions, which they foreſaw, muſt ſo ſoon be excited in England *. The extreme contempt, entertained towards the natives in Ireland, made the popular leaders believe, that it would be eaſy, at any time, to ſuppreſs their rebellion, and recover that kingdom: Nor were they willing to loſe, by too haſty ſucceſs, the advantage, which that rebellion would afford them in their projected encroachments on the prerogative. By aſſuming the total management of the war, they acquired the courtſhip and dependence of every one, who had any connexion with Ireland, or who was deſirous of liſting in theſe military enterprizes: They levied money under pretence of the Iriſh expedition: but reſerved it for purpoſes, which concerned them more nearly: They took arms from the King's magazines; but ſtill kept them, with a ſecret intention of employing them againſt himſelf: Whatever law they deemed neceſſary for aggrandizing themſelves, was voted, under colour of enabling them to recover Ireland; and if Charles with-held the royal aſſent, his refuſal was imputed to thoſe pernicious councils, which had at firſt excited the popiſh rebellion, and which ſtill threatened total deſtruction to the proteſtant intereſt,

See Nalſon, vol. ii. p. 528. (9) It is ridiculous to mention, the juſtification which Charles II. gave to the Marquis of Antrim, as if he had acted by his father's commiſſion. Antrim had no hand in the firſt rebellion and the maſſacre. He joined not the rebels till two years after, and he performed important ſervices to the King, in ſending over a body of men to Montroſe.

* Clarendon, vol. ii. p. 435. Sir Ed. Walker, p. 6.

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throughout all his dominions *. And, tho' no forces were for a long time ſent over to Ireland, and very little money remitted, during the extreme diſtreſs of that kingdom; ſo ſtrong was the people's attachment to the commons, that the fault was never imputed to thoſe pious zealots, whoſe votes breathed nothing but death and deſtruction to the Iriſh rebels.

To make the attack on royal authority by regular approaches, it was thought proper to form a general remonſtrance of the ſtate of the kingdom; and accordingly, the committee, which, at the firſt meeting of the parliament, had been choſen for that purpoſe, and which had hitherto made no advance in their work, received freſh injunctions to finiſh that undertaking.

The remonſtrance.

THE committee brought into the houſe that remonſtrance, which has become ſo memorable, and which was ſoon afterwards attended with ſuch important conſequences. It was not addreſſed to the King; but was openly declared to be an appeal to the people. The harſhneſs of the matter was equalled by the ſeverity of the language. It conſiſts of many groſs falſhoods, intermingled with ſome evident truths: Malignant inſinuations are joined to open invectives: Loud complaints of the paſt, accompanied with jealous prognoſtications of the future. Whatever unfortunate, whatever invidious, whatever ſuſpicious meaſure, had been embraced by the King from the commencement of his reign, is inſiſted on and aggravated with mercileſs rhetoric: The unſucceſsful expedition to Cadiz and the iſle of Rhé are mentioned: The ſending ſhips to France for ſuppreſſion of the hugonots: The forced loans: The illegal confinement of men for not obeying illegal commands: The violent diſſolution of four parliaments: The arbitrary government, which always ſucceeded: The queſtioning, fining, and impriſoning members for their conduct in the houſe: The levying taxes without conſent of the commons: The introducing ſuperſtitious innovations into the church, without authority of law: In ſhort, every thing, which, either with or without reaſon, had given offence, during the courſe of fifteen years, from the acceſſion of the King to the calling of the preſent parliament. And, tho' all theſe grievances had been already redreſſed, and even laws enacted for future ſecurity againſt their return, the praiſe of all theſe advantages was aſcribed, not to the King, but to the parliament, who had extorted his conſent to ſuch ſalutary ſtatutes. Their own merits too, they aſſerted towards the King, were equally great, as towards the people. Tho' they had ſeized his whole revenue, rendered it totally precarious, and made even their temporary ſupplies be paid in to their own commiſſioners, who were independent of him; they pretended, that they had very liberally ſupported him in his neceſſities. By an inſult ſtill more egregious, the very giving money to the Scots for levying war againſt their ſovereign, they repreſented as an

* Na'ſon, vol. ii. p. 618. Clarendon, vol. iv. p. 590.

inſtance of their duty towards him. And all their grievances, they ſaid, which amounted to no leſs than a total ſubverſion of the conſtitution, proceeded intirely from the formed combination of a popiſh faction, who had ever ſwayed the King's councils, who had endeavoured, by an uninterrupted effort, to introduce their ſuperſtition into England and Scotland, and who had now, at laſt, excited an open and bloody rebellion in Ireland *. Chap. VI. 1641.

THIS remonſtrance, ſo full of acrimony and violence, was a plain ſignal for ſome farther attacks intended on royal prerogative, and a declaration, that the conceſſions, already made, however important, were not to be regarded as ſatisfactory. What pretenſions would be advanced, how unprecedented, how unlimited, were eaſily imagined; and nothing leſs was foreſeen, whatever ancient names might be preſerved, than an abolition, almoſt total, of the monarchical government of England. The oppoſition, therefore, which the remonſtrance met with in the houſe of commons, was very great. For above fourteen hours, the debate was warmly managed; and from the wearineſs of the King's party, which probably conſiſted chiefly of the elderly people, and men of cool ſpirits, the vote was, at laſt, carried by a ſmall majority of eleven †. Some time after, the remonſtrance was ordered to be printed and publiſhed, without being carried up, as is uſual in ſuch caſes, to the houſe of peers, for their aſſent and approbation. November 22.

WHEN this remonſtrance was diſperſed, it excited, every where, the ſame violent controverſy, which had attended it, when introduced into the houſe of commons. This parliament, ſaid the partizans of that aſſembly, have at laſt profited by the fatal example of their predeceſſors; and are reſolved, that the fabric, which they had generouſly undertaken to rear for the protection of liberty, ſhall not be left to future ages, inſecure and imperfect. At the time, when the petition of right, that requiſite vindication of a violated conſtitution, was extorted from the unwilling prince; who but imagined, that liberty was at laſt ſecured, and that the laws would thenceforth maintain themſelves in oppoſition to arbitrary authority? But what was the event? A *right* was indeed acquired to the people, or rather their ancient right was more exactly defined: But as the *power* of invading it ſtill remained in the prince, no ſooner did an opportunity offer, than he totally diſregarded all laws and preceding engagements, and made his will and pleaſure the ſole rule of government. Thoſe lofty ideas of monarchical government, which he had derived from his early education, which are united in his mind with the irreſiſtible illuſions of ſelf-love, which are corroborated by his miſtaken principles of religion, it is in vain to hope, that, in his more advanced age, he will ſincerely renounce, from any ſubſequent reflection or experience. Such Reaſons on both ſides.

* Ruſhw. vol. v. p. 438. Nalſon, vol. ii. p. 694. † Whitlocke, p. 49. Dudgale, p. 71. Nalſon, vol. ii. p. 668.

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converſions, if ever they happen, are extremely rare; but to expect, that they will be derived from neceſſity, from the jealouſy and reſentment of antagoniſts, from blame, from reproach, from oppoſition, muſt be the reſult of the fondeſt and moſt blind credulity. Theſe violences, however neceſſary, are ſure to irritate a prince againſt limitations, ſo cruelly impoſed upon him; and each conceſſion, which he is inforced to make, is regarded as a temporary tribute paid to faction and ſedition, and is ſecretly attended with a reſolution of ſeizing every favourable opportunity to retract it. Nor ſhould we imagine, that opportunities of that kind will not offer in the courſe of human affairs. Governments, eſpecially thoſe of a mixed kind, are in continual fluctuation: The humours of the people change perpetually from one extreme to another: And no reſolution can be more wiſe, as well as more juſt, than that of employing the preſent advantages againſt the King, who had formerly puſhed much leſs tempting ones to the utmoſt extremity againſt his people and his parliament. It is to be feared, that, if the religious rage, which has ſeized the multitude, be allowed to evaporate, they will quickly return to the antient eccleſiaſtical eſtabliſhment; and embrace, with it, thoſe principles of ſlavery, which it inculcates with ſuch zeal on its ſubmiſſive proſelytes. Thoſe patriots, who are now the public idols, may then become the objects of general deteſtation; and equal ſhouts of joy attend their ignominious execution, with thoſe which ſecond their preſent advantages and triumphs. Nor ought the apprehenſion of ſuch an event to be regarded in them as a ſelfiſh conſideration: In their ſafety is involved the ſecurity of the laws: The patrons of the conſtitution cannot ſuffer without a fatal blow to the conſtitution: And it is but juſtice in the public to protect, at any hazard, thoſe, who have ſo generouſly expoſed themſelves to the utmoſt hazard for the public intereſt. What tho' monarchy, the ancient government of England, be impaired, during theſe conteſts, in many of its former prerogatives? The laws will flouriſh the more by its decay; and 'tis happy, allowing that matters are really carried beyond the bounds of moderation, that the current, at leaſt, runs towards liberty, and that the error is on that ſide, which is ſafeſt for the general intereſts of mankind and ſociety.

THE beſt arguments of the royaliſts againſt a farther invaſion of the prerogative, were founded more on oppoſite ideas, which they had formed of the paſt events of this reign, than on oppoſite principles of government. Some invaſions, they ſaid, and thoſe too, of no ſmall conſequence, had undoubtedly been made on national privileges: But were we to look for the cauſe of theſe violences, we ſhould never find it to conſiſt in the wanton tyranny and injuſtice of the prince, not even in his ambition or immoderate appetite for authority. The hoſtilities with Spain, in which the King, on his acceſſion, found himſelf engaged, however imprudent and unneceſſary, had proceeded from the advice, and even importunity

portunity of the parliament; who deſerted him immediately after they had embarked him in thoſe warlike meaſures. A young prince, jealous of honour, was naturally afraid of being foiled in his firſt enterprize, and had not, as yet, attained ſuch maturity of council, as to perceive, that his greateſt honour lay in preſerving the laws inviolate, and gaining the intire confidence of his people. The rigor of the ſubſequent parliaments had been extreme with regard to many articles, particularly tonnage and poundage; and had reduced the King to an abſolute neceſſity, if he would preſerve entire the royal prerogative, of levying thoſe duties by his own authority, and of breaking thro' the forms, in order to maintain the ſpirit of the conſtitution. Having once made ſo perilous a ſtep, he was naturally induced to continue, and to conſult the public intereſt, by impoſing ſhip-money, and other moderate, tho' irregular, burthens and taxations. It is now full time to free him from all theſe neceſſities, and to apply cordials and lenitives, after thoſe ſeverities, which have already had their full courſe againſt him. Never ſovereign was bleſſed with more moderation of temper, with more juſtice, more humanity, more honour, or a more magnanimous diſpoſition. What pity, that ſuch a prince ſhould ſo long have been harraſſed with rigors, ſuſpicions, calumnies, complaints, encroachments; and been forced from that path, in which the rectitude of his diſpoſition would have inclined him to have conſtantly trod! If ſome few inſtances are found of violations made on the petition of right, which he himſelf had granted; there is an eaſier and more natural way for preventing the return of like inconveniencies than by a total abolition of royal authority. Let the revenue be ſettled, ſuitable to the antient dignity and ſplendor of the crown; let the public neceſſities be fully ſupplied; let the remaining articles of prerogative be left untouched: And the King, as he has already loſt the power, will lay aſide the will, of invading the conſtitution. From what quarter can jealouſies now ariſe? What farther ſecurity can be deſired or expected? The King's precedent conceſſions, ſo far from being inſufficient for public ſecurity, have rather erred on the other extreme; and, by depriving him of all power of ſelf-defence, are the real cauſe, why the commons are emboldened to raiſe pretenſions hitherto unheard of in the kingdom, and to ſubvert the whole ſyſtem of the conſtitution. But would they be contented with moderate advantages, is it not evident, that, beſides other important conceſſions, the preſent parliament may be continued till the government is accuſtomed to the new track, and every part is reſtored to full harmony and concord? By the triennial act, a perpetual ſucceſſion of parliaments is eſtabliſhed, as everlaſting guardians to the laws; while the king poſſeſſes no independent power or military force, by which he can be ſupported in his invaſion of them. No danger remains, but what is inſeparable from all free conſtitutions, and what forms the very eſſence of their liberty: The danger of a change in the people's diſpoſition, and of general diſguſt, contracted

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againſt popular privileges. To prevent ſuch an evil, no expedient is more proper, than to contain ourſelves within the bounds of moderation, and to conſider, that all extremes, naturally and infallibly, beget each other. In the ſame manner as the paſt uſurpations of the crown, however excuſable on account of the neceſſity or provocations from whence they aroſe, have excited an immeaſurable appetite for liberty; let us beware, leſt our encroachments, by introducing anarchy, make the people ſeek ſhelter under the peaceable and deſpotic rule of a monarch. Authority, as well as liberty, is requiſite to government; and is even requiſite to the ſupport of liberty itſelf, by maintaining the laws, which can alone regulate and protect it. What madneſs, while every thing is ſo happily ſettled under antient forms and inſtitutions, now more exactly poiſed and adjuſted, to try the hazardous experiment of a new conſtitution, and renounce the mature wiſdom of our anceſtors for the crude whimſies of turbulent innovators? Beſides the certain and inconceivable miſchiefs of civil war; are not the perils apparent, which the delicate frame of liberty muſt inevitably run amidſt the furious ſhock of arms? Whichever ſide prevails, *ſhe* can ſcarce hope to remain inviolate, and may ſuffer no leſs or rather greater injuries from the boundleſs pretenſions of forces engaged in her cauſe, than from the invaſion of inraged troops, inliſted on the ſide of monarchy.

Novemb. 25.

THE King, upon his return from Scotland, was received in London with the ſhouts and acclamations of the people, and with every demonſtration of regard and affection *. Sir Richard Gournay, Lord Mayor, a man of merit and authority, had promoted theſe favourable diſpoſitions, and had engaged the populace, who ſo lately inſulted the King, and who ſo ſoon afterwards made furious war upon him, to give him theſe marks of the moſt dutiful attachment. But all the pleaſure, which he reaped from this joyful reception, was ſoon damped by the remonſtrance of the commons, which was preſented him, together with a petition of a like ſtrain. The bad councils, which he followed, are there complained of; his concurrence in the Iriſh rebellion plainly inſinuated; the ſcheme, laid for the introduction of popery and ſuperſtition, inveighed againſt; and, for a remedy to all theſe evils, he is deſired to entruſt every office and command to perſons, in whom his parliament ſhould have cauſe to confide †. By this phraſe, which is ſo often repeated in all the memorials and addreſſes of that time, the commons meant themſelves and their adherents.

As ſoon as the remonſtrance of the commons was publiſhed, the King diſperſed an anſwer to it. In this conteſt, he lay under mighty diſadvantages. Not only the ears of the people were extremely prejudiced againſt him; the beſt topics upon which he could juſtify, or at leaſt apologize for his former conduct, were ſuch

* Ruſhw. vol. v. p. 429. † Ibid. p. 437. Nalſon, vol. ii. p. 692.

as

as it was not ſafe nor prudent for him, at this time, to employ. So high was the national idolatry towards parliaments, that to blame the paſt conduct of theſe aſſemblies, had been very ill received by the generality of the people. So loud were the complaints againſt regal uſurpations, that had the King aſſerted the prerogative of ſupplying, by his own authority, the deficiencies in government, ariſing from the obſtinacy of parliaments, he would have increaſed the clamours, with which the whole nation already reſounded. Charles, therefore, contented himſelf with obſerving, in general, that, even during that period, ſo much complained of, the people enjoyed a great meaſure of happineſs; not only comparatively, in reſpect of their neighbours, but even in reſpect of thoſe times, which were juſtly accounted the moſt fortunate. He made warm proteſtations of ſincerity in the reformed religion; he promiſed indulgence to tender conſciences with regard to the ceremonies of the church; he mentioned his great conceſſions to national liberty; he blamed the infamous libels every where diſperſed againſt his perſon and the national religion; he complained of the general reproaches, thrown out in the remonſtrance, with regard to ill councils, tho' he had protected no miniſter from parliamentary juſtice, retained no unpopular ſervant, and conferred offices on no one, who enjoyed not a high character and eſtimation in the public. "If notwithſtanding this," he adds, "any malignant party ſhall "take heart, and be willing to ſacrifice the peace and happineſs of their country, "to their own ſiniſter ends and ambition, under whatever pretence of religion "and conſcience; if they ſhall endeavour to leſſen my reputation and intereſt, "and to weaken my lawful power and authority; if they ſhall attempt, by diſ-"countenancing the preſent laws, to looſen the bands of government, that all "diſorder and confuſion may break in upon us; I doubt not but God, in his "good time, will diſcover them to me, and that the wiſdom and courage of my "high court of parliament will join with me in their ſuppreſſion and puniſh-"ment *." Nothing ſhows more evidently the hard ſituation in which Charles was placed, than to obſerve, that he was obliged to confine himſelf within the limits of civility towards ſubjects, who had tranſgreſſed all bounds of regard, and even of good manners, in their treatment of their ſovereign.

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The firſt inſtance of thoſe parliamentary encroachments, which Charles was now to look for, was the bill for preſſing ſoldiers to the ſervice of Ireland. This bill quickly paſſed the lower houſe. In the preamble, the King's power of preſſing, a power exerciſed during all former times, was declared illegal, and contrary to the liberty of the ſubject. By a neceſſary conſequence, the prerogative, which the crown had ever aſſumed, of obliging men to accept of any branch of public ſervice, was aboliſhed and annihilated: A prerogative, it muſt be owned, not very compatible with a limited monarchy. In order to elude this law, the King

* Nalſon, vol. ii. p. 748.

offered

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offered to raiſe 10,000 volunteers for the Iriſh ſervice: But the commons were afraid, leſt ſuch an army would be too much at his diſpoſal. Charles, ſtill unwilling to ſubmit to ſo conſiderable a diminution of power, came to the houſe of peers, and offered to paſs the law without the preamble; by which means, he ſaid, that ill-timed queſtion with regard to the prerogative would for the preſent be avoided, and the pretenſions of each party be left intire. Both houſes took fire at this precipitant meaſure, which, from a ſimilar inſtance, while the bill of attainder againſt Strafford was in dependance, Charles might foreſee, would be received with reſentment. The lords, as well as commons, paſſed a vote, declaring it to be a high breach of privilege for the king to take notice of any bill, which was in agitation in either of the houſes, or to expreſs his ſentiments with regard to it, before it be preſented to him for his aſſent in a parliamentary manner. The King was obliged to compoſe all matters by an apology *.

THE general queſtion, we may obſerve, with regard to privileges of parliament, has always been, and ſtill continues, one of the greateſt myſteries of the Engliſh conſtitution; and, in ſome reſpects, notwithſtanding the accurate genius of that government, theſe privileges are, at preſent, as undetermined, as were formerly the prerogatives of the crown. Such privileges as are founded on long precedent cannot be controverted: But tho' it were certain, that former kings had not, in any inſtance, taken notice of bills lying before the houſes (which yet appears to have been very uſual;) it follows not, merely from their never exerting ſuch a power, that they had renounced it, or never were poſſeſſed of it. Such privileges alſo as are eſſential to all free aſſemblies, which deliberate, they may be allowed to aſſume, whatever precedents may prevail: But tho' the King's interpoſition, by an offer or advice, does, in ſome degree, overawe or reſtrain liberty; it may be doubted, whether it impoſes ſuch evident violence as to entitle the parliament, without any other authority or conceſſion, to claim the privilege of excluding it. But this was the favourable time for extending privileges; and had none more exorbitant or unreaſonable been challenged, few bad conſequences had followed. The eſtabliſhment of this rule, 'tis certain, contributes to the order and regularity, as well as freedom, of parliamentary proceedings.

THE interpoſition of peers in the election of commoners was likewiſe, about this time, declared a breach of privilege; and continues ever ſince to be condemned by votes of the commons, and univerſally practiſed throughout the nation.

EVERY meaſure purſued by the commons, and ſtill more, every attempt made by their partizans, was full of the moſt inveterate hatred againſt the hierarchy, and ſhowed a determined reſolution of ſubverting the whole eccleſiaſtical eſtabliſh-

* Ruſhw. vol. v. p. 457, 458, &c. Clarendon, vol. ii. p. 327. Nalſon, vol. ii. p. 738. 750, 751, &c.

ment.

ment. Beſides numberleſs vexations and perſecutions which the clergy underwent from the arbitrary power of the lower houſe; the peers, while the King was in Scotland, having paſſed an order for the obſervance of the laws with regard to public worſhip, the commons aſſumed ſuch authority, that, by a vote alone of their houſe, they ſuſpended thoſe laws, tho' enacted by the whole legiſlature: And they particularly forbade bowing at the name of JESUS; a practice, which gave them the higheſt ſcandal, and which was one of their capital objections againſt the eſtabliſhed religion *. They complained of the King's filling five vacant ſees, and conſidered it as an inſult upon them, that he ſhould compleat and ſtrengthen an order, which they intended ſoon entirely to aboliſh †. They had accuſed thirteen biſhops of high treaſon for enacting canons without conſent of parliament ‡; tho' from the foundation of the monarchy, no other method had ever been practiſed: And they now inſiſted, that the peers, upon this general accuſation, ſhould ſequeſter thoſe biſhops from their ſeats in parliament, and commit them to priſon. Their bill for taking away the biſhop's votes had, laſt winter, been rejected by the peers: But they again introduced the ſame bill, tho' no prorogation had intervened; and they endeavoured, by ſome minute alterations, to elude that rule of parliament which oppoſed them. And when they ſent up this bill to the lords, they made a demand, the moſt abſurd in the world, that the biſhops, being all of them parties, ſhould be refuſed a vote with regard to that queſtion §. After the reſolution was once formed by the commons, of invading the eſtabliſhed government of church and ſtate, it could not be expected, that their proceedings, in ſuch a violent attempt, would thenceforth be altogether regular and equitable: But it muſt be confeſſed, that, in their attacks on the hierarchy, they ſtill more openly tranſgreſſed all bounds of moderation; as ſuppoſing, no doubt, that the ſacredneſs of the cauſe would ſufficiently atone for employing means, the moſt irregular and unprecedented. This principle, which prevails ſo much among zealots, never diſplayed itſelf ſo openly, as during the tranſactions of this whole period.

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BUT, notwithſtanding all theſe efforts of the commons, they could not expect the concurrence of the upper houſe, either to this law, or to any other, which they ſhould introduce for the farther limitation of royal authority. The majority of the peers adhered to the King, and plainly foreſaw the depreſſion of nobility, as a neceſſary conſequence of popular uſurpations on the crown. The inſolence indeed, of the commons, and their haughty treatment of the lords, had already riſen to a great height, and gave ſufficient warning of their future attempts upon that order. They muttered ſomewhat of their regret, that they ſhould be enforced to ſave the kingdom alone, and that the houſe of peers would have no part in the

* Ruſhw. vol. v. p. 385, 386. Nalſon, vol. ii. p. 482. † Nalſon, vol. ii. p. 511.
‡ Ruſhw. vol. v. p. 359. § Clarendon, vol ii. p. 304.

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honour. Nay, they went ſo far as openly to tell the lords, "That they themſelves were the repreſentative body of the whole kingdom, and that the peers were nothing but individuals, who held their ſeats in a particular capacity: And, therefore, if their lordſhips will not conſent to the paſſing acts neceſſary for the preſervation of the people, the commons, together with ſuch of the lords as are more ſenſible of the danger, muſt join together, and repreſent the matter to his Majeſty *." So violent was the democratical, enthuſiaſtic ſpirit diffuſed throughout the nation, that a total confuſion of all ranks and orders was juſtly to be apprehended; and the wonder was not, that the majority of the nobles ſhould ſeek ſhelter under the throne, but that any of them ſhould venture to deſert it. But the tide of popularity ſeized many, and carried them wide of all the moſt eſtabliſhed maxims of civil policy. Among the opponents of the King are ranked the Earl of Northumberland, Lord Admiral, a man of the firſt family and fortune, and endowed with that dignified pride, which ſo well became his rank and ſtation: The Earl of Eſſex, who inherited all his father's popularity, and having, from his early youth, ſought renown in arms, united to a middling capacity that rigid inflexibility of honour, which forms the proper ornament of a nobleman and a ſoldier: The Lord Kimbolton, ſoon after Earl of Mancheſter, a perſon diſtinguiſhed by humanity, generoſity, affability, and every amiable virtue. Theſe men, finding that their credit ran very high with the nation, ventured to encourage thoſe popular diſorders, which, they vainly imagined, they poſſeſſed authority ſufficient to regulate and controul.

In order to obtain a majority in the upper houſe, the commons had recourſe to the populace, who, on other occaſions, had done them ſuch important ſervices. Amidſt the greateſt ſecurity, they affected continual fears of deſtruction to themſelves and the nation, and ſeemed to quake at every breath or rumour of danger. They again excited the people by never ceaſing enquiries after conſpiracies, by reports of inſurrections, by feigned intelligence of invaſions from abroad, by diſcoveries of dangerous combinations at home among papiſts and their adherents. When Charles diſmiſſed the guard, which they had ordered during his abſence, they complained; and upon his promiſing them a new guard, under the command of the Earl of Lindeſey, they abſolutely refuſed the offer, and were well pleaſed to inſinuate, by this inſtance of jealouſy, that their danger chiefly aroſe from the King himſelf †. They ordered halberts to be brought into the hall, where they aſſembled, and thus armed themſelves againſt thoſe conſpiracies with which, they pretended, they were hourly threatened. All ſtories of plots, however ridiculous, were willingly attended to, and were diſperſed among the multitude, to whoſe capacity they were well adapted. Beale, a taylor, informed the commons,

* Clarendon, vol. ii. p. 415. † Journ. 30th Nov. 1641. Nalſon, vol. ii. p. 688.

that,

that, walking in the fields, he had hearkened to the diſcourſe of certain perſons, unknown to him, and had heard them talk of a moſt dangerous conſpiracy. A hundred and eight ruffians, as he learned, had been appointed to murder a hundred and eight lords and commoners, and were promiſed rewards for theſe aſſaſſinations, ten pounds for each lord, forty ſhillings for each commoner. Upon this notable intelligence, orders were iſſued for ſeizing prieſts and jeſuits, a conference was deſired with the lords, and the deputy lieutenants of ſome ſuſpected counties were ordered to put the people in a poſture of defence *.

THE pulpits likewiſe were called in aid, and reſounded with the dangers which threatened religion, from the deſperate attempts of papiſts and malignants. Multitudes of people flocked towards Weſtminſter, and inſulted the prelates and ſuch of the lords as adhered to the crown. The peers voted a declaration againſt thoſe tumults, and ſent it to the other houſe; but theſe refuſed their concurrence †. Some ſeditious apprentices, being ſeized and committed to priſon, immediately received their liberty, by an order of the commons ‡. The ſheriffs and juſtices having appointed conſtables with ſtrong watches to guard the parliament; the commons ſent for the conſtables, and required them to diſcharge the watches, convened the juſtices, voted their orders a breach of privilege, and ſent one of them to the Tower ‖. Encouraged by theſe indications of their pleaſure, the populace crowded about Whitehall, and threw out inſolent menaces againſt the King himſelf. Several reduced officers and young gentlemen of the inns of court, during this time of diſorder and danger, offered their ſervice to his Majeſty. Between them and the populace, there paſſed frequent ſkirmiſhes, which ended not without bloodſhed. By way of reproach, theſe gentlemen gave the rabble the appellation of ROUNDHEADS; on account of the ſhort cropt hair, which they wore: Theſe called the others CAVALIERS. And thus the nation, which was before ſufficiently provided of religious as well as civil cauſes of quarrel, were alſo ſupplied with party-names, under which the factions might rendezvous and ſignalize their mutual hatred §.

MEAN while, the tumults ſtill continued, and even increaſed, about Weſtminſter and Whitehall. The cry continually reſounded againſt *biſhops and rotten-hearted lords* ¶. The former eſpecially, being eaſily diſtinguiſhable by their habit, and being the object of violent hatred to all the ſectaries, were expoſed to

* Nalſon, vol. ii. p. 646. Journ. 16th Nov. 1641. Dugdale, p. 77.

† Ruſhworth, part iii. vol. i. p. 710. ‡ Nalſon, vol. ii. p. 784. 792.

‖ Nalſon, vol. ii. p. 792. Journ. 27th, 28th, and 29th of December, 1641.

§ Clarendon, vol. ii. p. 339. ¶ Id. p. 336.

Chap. VI. 1641. the moſt dangerous inſults *. Williams, now created archbiſhop of York, having been abuſed by the populace, haſtily called a meeting of his brethren. By his December 27. advice, a proteſtation was drawn and addreſſed to the King and the houſe of lords. The biſhops there ſet forth, that tho' they had an undoubted right to ſit and vote in parliament, yet, in coming thither, they had been menaced, aſſaulted, affronted, by the unruly multitude, and could no longer with ſafety attend their duty in the houſe. For this reaſon they proteſted againſt all laws, votes, and reſolutions, as null and invalid, which ſhould paſs during the time of their forced and violent abſence. This proteſtation, which, tho' juſt and legal, was certainly very ill-timed, was ſigned by twelve biſhops, and communicated to the King, who haſtily approved of it. As ſoon as it was preſented to the lords, that houſe deſired a conference with the commons, whom they informed of this unexpected proteſtation. The opportunity was ſeized with joy and triumph. An impeachment of high treaſon was immediately ſent up againſt the biſhops, as endeavouring to ſubvert the fundamental laws, and to invalidate the authority of the legiſlature †. They were, on the firſt demand, ſequeſtred from parliament and committed to cuſtody. No man, in either houſe, ventured to ſpeak a word in their vindication; ſo much diſpleaſed was every one at the egregious imprudence of which they had been guilty. One perſon alone ſaid, that he did not believe Impeachment of the biſhops. them guilty of high treaſon; but that they were ſtark mad, and therefore deſired they might be ſent to bedlam ‡.

1642. A FEW days afterwards, the King was guilty of another indiſcretion, much more fatal: An indiſcretion, to which all the enſuing diſorders and civil wars ought, immediately and directly, to be aſcribed. This was the impeachment of Lord Kimbolton and the five members.

WHEN the commons employed, in their remonſtrance, language ſo ſevere and indecent, they had not been actuated intirely by inſolence and paſſion: Their views were much more ſolid and profound. They conſidered, That, in a violent attempt, ſuch as an invaſion of the antient conſtitution, the more leiſure was afforded the people to reflect, the leſs would they be inclined to ſecond that raſh and dangerous enterprize; that the peers would certainly refuſe their concurrence, nor were there any hopes of prevailing on them but by exciting the populace to tumult and diſorder; that the employing ſuch odious means for ſo invidious an end would, at long-run, loſe them all their popularity, and turn the tide of favour to the contrary party; and that, if the King only remained in tranquillity, and

* Dugdale, p. 78.

† Whitlocke, p. 51. Ruſhw. vol. v. p. 466. Nalſon, vol. ii. p. 794.

‡ Clarendon, vol. ii. p. 355.

cautiouſly

cautiouſly eluded the firſt violence of the tempeſt, he would, in the end, certainly prevail, and be able at leaſt to preſerve intire the antient laws and conſtitution. They were therefore reſolved, if poſſible, to excite him to ſome violent paſſion; in hopes, that he would commit indiſcretions, of which they might make advantage. Chap. VI. 1642.

It was not long before they ſucceeded beyond their fondeſt wiſhes. Charles, enraged to find, that all his conceſſions but increaſed their demands; that the people, who were turning to a ſenſe of duty towards him, were again rouſed to ſedition and tumults; that the blackeſt calumnies were propagated againſt him, and even the Iriſh maſſacre aſcribed to his councils and machinations; that a method of addreſs was adopted, not only unſuitable towards ſo great a prince, but which no private gentleman could bear without reſentment: When he conſidered all theſe increaſing inſolences in the commons, he was apt to aſcribe them, in a great meaſure, to his own indolence and facility. The Queen and the ladies of the court farther ſtimulated his paſſion, and repreſented, that, if he exerted the vigour, and diſplayed the majeſty of a monarch, the daring uſurpations of his ſubjects would ſhrink before him. Lord Digby, a man of fine parts, but full of levity, and hurried on by precipitant paſſions, ſuggeſted like councils; and Charles, who, tho' commonly moderate in his temper, was ever diſpoſed to haſty reſolutions, gave way to the fatal importunity of his friends and ſervants *.

Herbert, attorney-general, appeared in the houſe of peers, and, in his Majeſty's name, entered an accuſation of high treaſon againſt Lord Kimbolton and five commoners, Hollis, Sir Arthur Hazelrig, Hambden, Pym, and Strode. The articles were, That they had traiterouſly endeavoured to ſubvert the fundamental laws and government of the kingdom, to deprive the King of his regal power, and to impoſe on his ſubjects an arbitrary and tyrannical authority; that they had endeavoured, by many foul aſperſions on his Majeſty and his government, to alienate the affections of his people, and make him odious to them; that they had attempted to draw his late army to diſobedience of his royal commands, and to ſide with them in their traiterous deſigns; that they had invited and encouraged a foreign power to invade the kingdom; that they had aimed at ſubverting the rights and very being of parliaments; that, in order to compleat their traiterous deſigns, they had endeavoured, as far as in them lay, by force and terror, to compel the parliament to join with them, and to that end, had actually raiſed and countenanced tumults againſt the King and parliament; and that they had traiterouſly conſpired to levy and actually had levied war againſt the King †. Accuſation the five members.

* Clarendon, vol. ii. p. 360.

† Whitlocke, p. 50. Ruſhw. vol. v. p. 473. Nalſon, vol. ii. p. 811. Franklyn, p. 906.

The

Chap. VI. 1642.

THE whole world ſtood amazed at this important accuſation, ſo ſuddenly entered upon, without concert, deliberation, or reflection. Some of theſe articles of accuſation, men ſaid, to judge by appearance, ſeem to be common between the impeached members and the parliament; nor did theſe perſons appear any farther active in the enterprizes, of which they were accuſed, than ſo far as they concurred with the majority in their votes and ſpeeches. Tho' proofs might, perhaps, be produced of their privately inviting the Scots to invade England; how could ſuch an attempt be conſidered as treaſon, after the act of oblivion, which had paſſed, and after that both houſes, with the King's concurrence, had voted that nation three hundred thouſand pounds for their brotherly aſſiſtance? While the houſe of peers are ſcarce able to maintain their independancy, or reject the bills ſent them by the commons; will they ever be permitted by the populace, ſuppoſing them inclined, to paſs a ſentence, which muſt totally ſubdue the lower houſe, and put an end to their ambitious undertakings? Theſe five members, at leaſt Pym, Hambden and Hollis, are the very heads of the popular party; and if theſe be taken off, what fate muſt be expected by their followers, who are many of them accomplices in the ſame treaſon? The puniſhment of leaders is ever the laſt triumph over a broken and routed party; but ſurely was never before attempted, in oppoſition to a faction, during the full tide of its power and ſucceſs.

BUT men had not leiſure to wonder at the extreme indiſcretion of this meaſure: Their aſtoniſhment was excited by new attempts, ſtill more precipitant and imprudent. A ſerjeant at arms, in the King's name, demanded of the houſe the five members; and was ſent back without any poſitive anſwer. Meſſengers were employed to ſearch for them, and arreſt them. Their trunks, chambers, and ſtudies were ſealed and locked. The houſe voted all theſe violences to be a breach of privilege, and commanded every one to defend the liberty of the members *. The King, irritated by all this oppoſition, reſolved next day to come in perſon to the houſe, with an intention to demand, perhaps ſeize in their preſence, the perſons whom he had accuſed.

THIS ſtrange reſolution was diſcovered to the Counteſs of Carliſle, ſiſter to Northumberland, a lady of great ſpirit, wit, and intrigue †. She privately ſent intelligence to the five members, and they had time to withdraw, a moment before the King entered. He was accompanied with his ordinary retinue to the number of above two hundred, armed as uſual, ſome with halberts, ſome with walking ſwords. The King left them at the door, and

* Whitlocke, p. 50. Ruſhw. vol. v. p. 474, 475.

† Whtlocke, p. 51. Warwick, p. 204.

he

he himſelf advanced alone thro' the hall; while all the members ſtood up to receive him. The ſpeaker withdrew from his chair, and the King took poſſeſſion of it. The ſpeech, which he made was as follows; "Gentlemen, I am ſorry "for this occaſion of coming to you. Yeſterday, I ſent a ſerjeant at arms to demand ſome, who, by my order, were accuſed of high treaſon. Inſtead of "obedience, I received a meſſage. I muſt here declare to you, that, tho' no "King, that ever was in England, could be more careful of your privileges "than I ſhall be, yet in caſes of treaſon, no perſon has privilege. Therefore, "am I come to tell you, that I muſt have theſe men whereſoever I can find "them. Well, ſince I ſee all the birds are flown, I do expect, that you will "ſend them to me as ſoon as they return. But I aſſure you, on the word of a "King, I never did intend any force, but ſhall proceed againſt them in a fair "and legal way: For I never meant any other. And now ſince I ſee I cannot "do what I came for, I think this no unfit occaſion to repeat what I have ſaid "formerly, that whatever I have done in favour and to the good of my ſubjects, "I do intend to maintain it *." Chap. VI. 1642.

When the King was looking around for the accuſed members, he aſked the ſpeaker, who ſtood below, whether any of theſe perſons were in the houſe? The ſpeaker, falling on his knee, very prudently replied: "I have, Sir, neither "eyes to ſee, nor tongue to ſpeak in this place, but as the houſe is pleaſed to direct me, whoſe ſervant I am. And I humbly aſk pardon, that I cannot give "any other anſwer to what your Majeſty is pleaſed to demand of me †."

The commons were in the utmoſt diſorder, and when the King was departing ſome members cried aloud, ſo as he might hear them, *Privilege! privilege!* And the houſe immediately adjourned till next day ‡.

That evening, the accuſed members, to ſhow the greater apprehenſion, removed into the city, which was their fortreſs. The citizens were, the whole night, in arms. Some people, who were appointed for that purpoſe, or perhaps actuated by their own terrors, ran from gate to gate, crying out, that the cavaliers were coming to fire the city, and that the King himſelf was at their head.

Next morning, Charles ſent to the mayor, and ordered him to call a common council immediately. About ten o'clock, he himſelf, attended only by three or four lords, went to Guild-hall. He told the council, that he was ſorry to hear of the apprehenſions entertained of him; that he was come to them without any guard, in order to ſhow how much he relied on their affections; that

* Whitlocke, p. 50.

† Whitlocke, p 50. May, book ii. p. 20.

‡ Whitlocke, p. 51.

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he had accuſed certain men of high treaſon, againſt whom he would proceed in a legal way, and therefore preſumed, that they would not meet with protection in the city. After many other gracious expreſſions, he told one of the ſheriffs, who of the two was eſteemed the leaſt inclined to his ſervice, that he would dine with him. He departed the hall without receiving the applauſe which he expected. In paſſing thro' the ſtreets, he heard the cry, *Privilege of parliament! privilege of parliament!* reſounding from all quarters. One of the populace, more inſolent than the reſt, drew nigh to his coach, and called out with a loud voice, *To your tents, O Iſrael!* the words employed by the mutinous Iſraelites, when they abandoned Rehoboam, their raſh and ill-counſelled ſovereign †.

When the houſe of commons met, they affected the greateſt diſmay and terror; and adjourning themſelves for ſome days, ordered a committee to ſit in merchant-taylor's hall in the city. The committee made an exact inquiry into each circumſtance attending the King's entry into the houſe: Every paſſionate ſpeech, every menacing geſture of any, even the meaneſt, of his attendants, was recorded and aggravated. An intention of offering violence to the parliament, of ſeizing the accuſed members in the very houſe, and of murdering all who ſhould make reſiſtance, was inferred. And that unparalleled breach of privilege, for ſo it was called, was ſtill aſcribed to the councils of papiſts and their adherents. This expreſſion, which recurs every moment in ſpeeches and memorials, and which, at preſent, is ſo apt to excite laughter in the reader, begot at that time, the deepeſt and moſt real conſternation throughout the kingdom.

A letter was pretended to be intercepted, and was communicated to the committee, who pretended to lay great weight upon it. One catholic there congratulates another on the accuſation of the members; and repreſents that event as a branch of the ſame pious contrivance, which had excited the Iriſh inſurrection, and by which the profane heretics would ſoon be extirpated in England ‡.

The houſe met; and after confirming the votes of their committee, inſtantly adjourned, as if expoſed to the moſt imminent perils from the violence of their enemies. This practice they continued for ſome time. When the people, by theſe affected panics, were wrought up to a ſufficient degree of rage and terror, it was thought proper, that the accuſed members ſhould, with a triumphant and military proceſſion, take their ſeats in the houſe. The Thames was covered with boats and other veſſels, laden with ſmall pieces of ordnance, and prepared for fight. Skippon, whom the parliament had appointed, by their own au-

† Ruſhw. vol. v. p. 479. Clarendon, vol. ii. p. 36.
‡ Nalſon, vol. ii. p. 836.

thority,

thority, major-general of the city-militia *, conducted the members, at the head of this tumultuary army, to Weſtminſter-hall. And when the populace, by land and by water, paſſed Whitehall, they ſtill aſked, with inſulting ſhouts; *What has become of the King and his cavaliers? and whither are they fled* †? Chap. VI. 1642. Tumults.

The King apprehenſive of danger from the enraged multitude, had retired to Hampton court, deſerted by all the world, and overwhelmed with grief, ſhame, and remorſe, for the fatal meaſures, into which he had been hurried. His deplorable ſituation he could no longer aſcribe to the rigors of deſtiny, or the malignity of enemies: His own precipitancy and indiſcretion muſt bear the blame of whatever diſaſters ſhould hence forth befal him. The moſt faithful of his adherents, between ſorrow and indignation, were confounded with reflections on what had happened, and what was likely to follow. Seeing every proſpect blaſted, faction triumphant, the diſcontented populace enflamed to a degree of fury, they utterly deſpaired of ſucceſs, in a cauſe, to whoſe ruin, friends and enemies ſeemed equally to conſpire. King leaves London.

The prudence of the King, in his conduct of this affair, nobody pretended to juſtify. The legality of his proceedings met with many and juſt apologies; tho' generally offered to unwilling ears. No maxim of law, it was ſaid, is more eſtabliſhed, or more univerſally allowed, than that privileges of parliament extend not to treaſon, felony, or breach of peace; nor has either houſe, during former ages, ever pretended, in any of thoſe caſes, to interpoſe in behalf of its members. Tho' ſome inconveniencies ſhould reſult from the obſervance of this maxim; that would not be ſufficient, without other authority, to aboliſh a principle, eſtabliſhed by uninterrupted precedent, and founded on the tacit conſent of the whole legiſlature. But what are the inconveniencies ſo much dreaded? The King, on pretence of treaſon, may ſeize any members of the oppoſite faction, and, for a time, gain to his partizans the majority of voices. But if he ſeize only a few; will he not loſe more friends, by ſuch a groſs artifice, than he confines enemies? If he ſeize a great number, is not this expedient force, open and bare-faced? And what remedy, in all times, againſt ſuch force, but to oppoſe to it a force, which is ſuperior? Even allowing, that the King intended to employ violence, not authority, for ſeizing the members; tho', at that time, and ever afterwards, he poſitively aſſerted the contrary; yet will his conduct admit of excuſe. That the hall, where the parliament aſſembles, is an inviolable ſanctuary, was never yet pretended. And if the commons complain of the affront offered them, by an

* Nalſon, vol. ii. p. 833. † Whitlocke, p. 52. Dugdale, p. 82. Clarendon, vol. ii. p. 380.

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attempt to arreſt their members in their very preſence; they ought only to blame themſelves, who had formerly refuſed compliance with the King's meſſage, when he peaceably demanded theſe members. The ſovereign is the great executor of the law; and his preſence was here legally employed, both in order to prevent oppoſition, and to protect the houſe againſt thoſe inſults which their diſobedience had ſo well merited *.

CHARLES knew to how little purpoſe he ſhould urge theſe reaſons againſt the preſent fury of the commons. He propoſed therefore, by a meſſage, that they would agree upon a legal method, by which he might carry on his proſecution againſt the members, leſt farther miſunderſtandings happen with regard to privileges. They deſired him to lay the grounds of accuſation before the houſe; and pretended, that they muſt firſt judge, whether it were proper to abandon their members to a legal trial. The King then informed them, that he would wave, for the preſent, all proſecution: By ſucceſſive meſſages, he afterwards offered a pardon to the members; offered to concur in any law, that ſhould acquit or ſecure them; offered any reparation to the houſe for the breach of privilege, of which, he acknowledged, they had reaſon to complain †. They were reſolved to accept of no ſatisfaction, unleſs he would diſcover his adviſers in that illegal meaſure: A condition, to which, they knew, that without rendering himſelf forever vile and contemptible, he could not poſſibly ſubmit. Mean while, they continued to thunder againſt the violation of parliamentary privileges, and, by their violent outcries, to inflame the whole nation. The ſecret reaſon of their diſpleaſure, however obvious, they carefully concealed. In the King's accuſation of the members, they plainly ſaw his judgment of late parliamentary proceedings; and every member of the ruling faction dreaded the ſame fate, ſhould royal authority be re-eſtabliſhed in its ancient luſtre. By the moſt unhappy conduct, Charles, while he extremely augmented, in his opponents, the will, had alſo increaſed the ability, of hurting him.

* "In a parliament of Queen Elizabeth, when Sir Edward Coke was ſpeaker, the Queen ſent "a meſſenger or ſerjeant at arms into the houſe of commons, and took out Mr. Morrice, and com- "mitted him to priſon with divers others, for ſome ſpeeches ſpoken in the houſe. Thereupon Mr. "Wroth moved the houſe, that they would be humble ſuitors to her Majeſty, that ſhe would be "pleaſed to enlarge thoſe members of the houſe that were reſtrained, which was done accordingly. "And anſwer was ſent by her privy-council, That her Majeſty had committed them for cauſes beſt "known to herſelf; and to preſs her Highneſs with this ſuit, would but hinder the whole good they "ſought: That the houſe muſt not call the Queen to an account for what ſhe doth of her royal "authority: That the cauſes for which they are reſtrained, may be high and dangerous: That her "Majeſty liketh no ſuch queſtions, neither doth it become the houſe to ſearch into matters of that "nature." See HOWELL's *Inſpection into the carriage of the late long parliament*, p. 61.

† Dugdale, p. 84. Ruſhw. vol. v. p. 484, 488, 492, &c.

In order farther to excite the people, whoſe diſpoſitions were already very ſeditious, the expedient of petitioning was renewed. A petition from the county of Buckingham was preſented by ſix thouſand men; who promiſed to live and die in defence of the privileges of parliament *. The city of London, the county of Eſſex, that of Hertford, Surry, Berks, imitated this example. A petition from the apprentices was graciouſly received †. Nay one was encouraged from the porters; whoſe numbers amounted, as they ſaid, to fifteen thouſand ‡. The addreſs of that great body contained the ſame articles with all the others; the privileges of parliament, the danger of religion, the rebellion of Ireland, the decay of trade. The porters further deſired, that juſtice might be done upon offenders, as the attrociouſneſs of their crimes had deſerved. And they added, *That if ſuch remedies were any longer ſuſpended, they would be forced to extremities not fit to be named, and make good the ſaying*, "That neceſſity has no "law §."

Another petition was preſented by ſeveral poor people, in the name of many thouſands more; in which the petitioners propoſed as a remedy for the public miſeries, *That thoſe noble worthies of the houſe of peers, who concur with the happy votes of the commons, may ſeparate themſelves from the reſt, and ſit and vote, as one entire body.* The commons gave thanks for this petition ‖.

The very women were ſeized with the ſame rage. A brewer's wife, followed by many thouſand of her ſex, brought a petition to the houſe; in which the petitioners expreſſed their terror of the papiſts and prelates, and their dread of like maſſacres, rapes, and outrages, with thoſe which had been exerciſed upon their ſex in Ireland. They had been neceſſitated, they ſaid, to imitate the example of the women of Tekoah: And they claimed equal right with the men, of declaring, by petition, their ſenſe of the public cauſe; becauſe Chriſt had purchaſed them at as dear a rate, and in the free enjoyment of Chriſt conſiſts equally the happineſs of both ſexes. Pym came to the door of the houſe; and having told the female zealots, that their petition was thankfully accepted, and was preſented in a ſeaſonable time, he begged, that their prayers for the ſucceſs of the commons might follow their petition. Such low arts of popularity were affected. And by ſuch illiberal cant were the unhappy people incited to civil diſcord and convulſions!

* Ruſhw. vol. v. p. 487.
† Ruſhw. vol. v. p. 462.
‡ Dudgale, p. 87.
§ Clarendon, vol. ii. p. 412.
‖ Clarendon, vol. ii. p. 413.

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ALL petitions, in the mean time, which favoured the church or monarchy, from whatever hand they came, not only were diſcouraged; but the petitioners were ſent for, impriſoned, and proſecuted as delinquents: And this unequal conduct was openly avowed and juſtified. Whoever deſire a change, it was ſaid, muſt expreſs their inclination; for how, otherwiſe, ſhall it be known? But thoſe who favour the eſtabliſhed government in church or ſtate, ſhould not petition; becauſe they already enjoy what they wiſh for *.

THE king had poſſeſſed a very great party in the lower houſe, as appeared in the vote for the remonſtrance; and this party, had every new cauſe of diſguſt been carefully avoided, would ſoon have become the majority; from the odium attending the violent meaſures employed by the popular leaders. A great majority he always poſſeſſed in the houſe of peers, even after the biſhops were confined or chaſed away; and this majority could not have been overcome, but by outrages, which, in the end, would have drawn diſgrace and ruin on thoſe who incited them. By the preſent fury of the people, as by an inundation, were all theſe obſtacles ſwept away, and every rampart of royal authority laid level with the ground. The victory was purſued with impetuoſity by the ſagacious commons, who knew the importance of a favourable moment in all popular commotions. The terror of their authority they extended over the whole nation; and all oppoſition, and even all blame vented in familiar diſcourſe, were treated as the moſt attrocious crimes, by theſe ſevere inquiſitors. Scarcely was it permitted to find fault with the conduct of any particular member, if he made a figure in the houſe; and reflections, thrown out on Pym, were at this time, treated as breaches of privilege. The populace without doors were ready to execute, from the leaſt hint, the will of their leaders; nor was it ſafe for any member to approach either houſe, who pretended to controul or oppoſe the general torrent. After ſo undiſguiſed a manner was this violence conducted, that Hollis, in a ſpeech to the peers, deſired to know the names of ſuch members, as ſhould vote contrary to the ſentiments of the commons †: And Pym ſaid in the lower houſe, that the people muſt not be reſtrained in the expreſſions of their juſt deſires ‡.

BY the flight, or terror, or deſpondency of the King's party, an undiſputed majority remained every where to their opponents; and the bills ſent up by the commons, which had hitherto ſtopped with the peers, and would certainly have been rejected, now paſſed, and were preſented for the royal aſſent. Theſe were, the preſſing bill with its preamble, and the bill againſt the biſhop's votes. The King's authority was at that time reduced to the loweſt ebb. The Queen too,

* Clarendon, vol. ii. p. 449. † King's Declar. of 12th of Auguſt, 1642. ‡ Ibid.

being

being ſecretly threatened with an impeachment, and finding no reſource in her husband's protection, was preparing to retire into Holland. The rage of the people, on account of her religion, as well as her ſpirit and activity, was univerſally levelled againſt her. Uſage, the moſt ignominious, ſhe had hitherto borne with a ſilent indignation. The commons, in their fury againſt prieſts, had ſeized her very confeſſor; nor would they releaſe him upon her repeated applications. Even a viſit of the Prince to his mother had been openly complained of, and remonſtrances againſt it had been preſented to her *. Apprehenſive of attacks ſtill more violent, ſhe was deſirous of facilitating her eſcape; and ſhe prevailed with the King to paſs theſe bills, in hopes of appeaſing, for a time, the rage of the multitude †. Chap. VI. 1642. February 12.

These new conceſſions, however important, the King immediately found to have no other effect, than had all the preceding ones: They were made the foundation of demands ſtill more exorbitant. From the facility of his diſpoſition, from the impotence of his ſituation, the commons believed, that he could now refuſe them nothing. And they regarded, the leaſt moment of relaxation, in their invaſion of royal authority, as highly impolitic, during the uninterrupted torrent of their ſucceſſes. The very moment they were informed of theſe laſt acquiſitions, they affronted the Queen, by opening ſome intercepted letters wrote to her by Lord Digby: They carried up an impeachment againſt Herbert, attorney-general, for obeying his maſter's commands in accuſing their members ‡. And they proſecuted with freſh vigour their plan of the militia, on which they reſted all future hopes of an uncontrouled authority.

The commons were ſenſible, that monarchical government, which, during ſo many ages, had been eſtabliſhed in England, would ſoon regain ſome degree of its former dignity, after the preſent tempeſt was overblown; nor would all their new invented limitations be able totally to ſuppreſs an authority, to which the nation had ever been accuſtomed. The ſword alone, to which all human ordinances muſt ſubmit, could guard their acquired power, and fully enſure to them perſonal ſafety againſt the riſing indignation of their ſovereign. This point, therefore, became the chief object of their aims. A large magazine of arms was placed in the town of Hull, and they diſpatched thither Sir John Hotham, a gentleman of conſiderable fortune in the neighbourhood, and of a very ancient family; and gave him the authority of governor. They ſent orders to Goring, governor of Portſmouth, to obey no commands but ſuch as he ſhould receive

* Nalſon, vol. ii. p. 512. † Clarendon, vol. ii. p. 428.
‡ Ruſhw. vol. v. p. 489. Clarendon, vol. ii. p. 385.

from

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from the parliament. Not contented with having obliged the King to diſplace Lunsford, whom he had made governor of the tower *; they never ceaſed ſoliciting him till he had alſo diſplaced Sir John Biron, a man of unexceptionable character; and had beſtowed that command on Sir John Conyers, in whom alone, they ſaid, they could repoſe confidence. After making a fruitleſs attempt, in which the peers refuſed their concurrence, to give public warning to the kingdom to put themſelves in a poſture of defence againſt the enterprizes of *papiſts and other ill-affected perſons* †, they now reſolved, by a bold and deciſive ſtroke, to ſeize at once the whole power of the ſword, and to confer it entirely on their own creatures and adherents.

THE ſevere votes, paſſed in the beginning of this parliament, againſt lieutenants and their deputies, for exerciſing powers aſſumed by all their predeceſſors, had totally diſarmed the crown, and had not left in any magiſtrate military authority ſufficient for the defence and ſecurity of the nation. To remedy this inconvenience now appeared neceſſary. An ordinance was introduced, and paſſed the two houſes, which reſtored to lieutenants and deputies the ſame powers, of which the votes of the commons had bereaved them; but at the ſame time, the names of all the lieutenants were inſerted in the ordinance; and theſe conſiſted intirely of men, in whom the parliament could confide. And for their conduct, they were accountable, by the expreſs terms of the ordinance, not to the King, but to the parliament.

THE policy, purſued by the commons, and which had hitherto ſucceeded to admiration, was to aſtoniſh the King by the boldneſs of their enterprizes, to intermingle no ſweetneſs with their ſeverity, to employ expreſſions no leſs violent than their pretenſions, and to make him ſenſible what little eſtimation they made either of his perſon or his dignity. To a bill, ſo deſtructive of royal authority, they prefixed with an inſolence ſeemingly wanton, a preamble, equally diſhonourable to the perſonal character of the King. Theſe are the words: "Whereas there has been of late a moſt dangerous and deſperate deſign upon the "houſe of commons, which we have juſt cauſe to believe an effect of the bloody "councils of papiſts and other ill-affected perſons, who have already raiſed a "rebellion in the kingdom of Ireland. And whereas, by reaſon of many diſco"veries, we cannot but fear they will proceed, not only to ſtir up the like re"bellions and inſurrections in this kingdom of England; but alſo to back them "with forces from abroad, *&c.* ‡

* Ruſhw. vol. v. p. 459.
† Nalſon, vol. ii. p. 850.
‡ Ruſhw. vol. v. p. 519.

HERE

HERE Charles firſt ventured to put a ſtop to his conceſſions; and that not by a refuſal, but a delay. When this demand was made; a demand, which, if granted, the commons juſtly regarded as the laſt they ſhould ever have occaſion to make; he was at Dover, attending the Queen and the Princeſs of Orange in their embarkation. He replied, that he had not now leiſure to conſider a matter of ſo great importance, and muſt therefore reſpite his anſwer, till his return *. The parliament inſtantly diſpatched another meſſage to him, with ſolicitations ſtill more importunate. They expreſſed their great grief on account of his majeſty's anſwer to their juſt and neceſſary petition. They repreſented, that any delay, during dangers and diſtractions ſo great and preſſing, was not leſs unſatisfactory and deſtructive than an abſolute denial. They inſiſted, that it was their duty, to ſee put in execution, a meaſure ſo neceſſary for public ſafety. And they affirmed, that the people, in many counties, had applied to them for that purpoſe, and, in ſome places, were, of themſelves, and by their own authority, providing againſt thoſe urgent dangers, with which they were threatened †. Chap VI. 1642. 22d of Feb.

EVEN after this inſolence, the King durſt not venture upon a flat denial. Beſides excepting to the preamble, which threw ſuch diſhonour upon him, and proteſting the innocence of his intentions, when he entered the houſe of commons; he only deſired, that the military authority, if it was defective, ſhould firſt be conferred upon the crown; and he promiſed to beſtow commiſſions, but ſuch as ſhould be revokeable at pleaſure, on the very ſame perſons, whom the parliament had named in the ordinance ‡. By a former meſſage, he had expreſſed his wiſhes, that they would lay before him, in one view, all the demands, which they deemed requiſite for the ſettlement of the nation. They pretended, that they were expoſed to perils, ſo dreadful and imminent, that they had not leiſure for ſuch a work §. The expedient, propoſed by the King, ſeemed a ſufficient remedy during this emergence; and yet preſerved the prerogative of the crown, intire and unbroken. 28th of Feb.

BUT the intentions of the commons were very wide of this purpoſe, and their panics could be cured by one remedy alone. They inſtantly replied, that the dangers and diſtempers of the nation were ſuch as could endure no longer delay; and unleſs the King ſpeedily complied with their demands, they ſhould be inforced, for the ſafety of the King and kingdom, to diſpoſe of the militia by the authority of both houſes, and were reſolved to do it accordingly. They aſſert- 1ſt of March.

* Ruſhw. vol. v. p. 521. † Id. ibid. ‡ Id. ibid.
§ Ruſhw. vol. v. p. 516, 517.

ed,

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ed, that thoſe parts of the kingdom, which have, from their own authority, put themſelves in a poſture of defence, during theſe prevailing jealouſies and fears, had acted ſuitable to the declarations and directions of both houſes, and conformable to the laws of the kingdom. And while they thus menaced the King with their power, they invited him to fix his reſidence at London, where, they knew, he would be intirely at mercy *.

" I AM ſo much amazed at this meſſage, ſaid the King in his prompt reply, " that I know not what to anſwer. You ſpeak of jealouſies and fears! Lay " your hands on your hearts and aſk yourſelves, whether I may not likeways be " diſturbed with fears and jealouſies: And if ſo, I aſſure you, that this meſſage " has nothing leſſened them.

" As to the militia I thought ſo much of it before I gave that anſwer, " and am ſo much aſſured, that the anſwer is agreeable to what in juſtice " or reaſon you can aſk, or I in honour grant, that I ſhall not alter it in any " point.

" FOR my reſidence near you, I wiſh it might be ſafe and honourable, and " that I had no cauſe to abſent myſelf from Whitehall: Aſk yourſelves whether " I have not? †

" WHAT would you have? Have I violated your laws? Have I denied to " paſs any bill for the eaſe and ſecurity of my ſubjects? I do not aſk, what you " have done for me.

" HAVE any of my people been tranſported with fears and apprehenſions, I " offer as free and general a pardon as yourſelves can deviſe. All this conſidered, " there is a judgment of heaven upon this nation, if theſe diſtractions con- " tinue.

" GOD ſo deal with me and mine as all my thoughts and intentions are up- " right for the maintainance of the true proteſtant profeſſion, and for the obſer- " vance and preſervation of the laws; and I hope God will bleſs and aſſiſt thoſe " laws for *my* preſervation ‡."

No ſooner did the commons deſpair of obtaining the King's conſent to their ordinance, than they inſtantly voted; that thoſe who adviſed his majeſty's anſwer were enemies to the ſtate, and miſchievous projectors againſt the ſafety of the nation; that this denial is of ſuch dangerous conſequence, that, if his majeſty

* Ruſhworth, part 3. vol. i. chap. 4. p. 523. † Ruſhw. vol. v. p. 524.
‡ Ruſhw. vol. v. p. 532.

perſiſt

perſiſt in it, it will hazard the peace and tranquillity of all his kingdoms, unleſs ſome ſpeedy remedy be applied by the wiſdom and authority of both houſes; and that ſuch of the ſubjects as have put themſelves in a poſture of defence againſt the common danger, have done nothing but what is juſtifiable and approved by the houſe *. Chap. VI. 1642.

LEST the people, who, in no inſtance, had ever ſeen any authority of parliament exerted without the concurrence of the king, might be averſe to the ſeconding all theſe uſurpations, they were plied with rumours of danger, with the terrors of invaſion, with the dread of the Engliſh and Iriſh papiſts; and the moſt unaccountable panics were ſpread throughout the nation. Lord Digby, having entered Kingſton in a coach and ſix, attended with a few livery-ſervants, the intelligence was conveyed to London; and it was immediately voted, that he had appeared in a hoſtile manner to the terror and affright of his majeſty's ſubjects, and had levied war againſt the King and kingdom †. Petitions from all quarters loudly demanded of the parliament to put the nation in a poſture of defence; and the county of Stafford in particular expreſſed ſuch dread of an inſurrection among the papiſts, that every man, they ſaid, was conſtrained to ſtand upon his guard, not even daring to go to church unarmed ‡.

THAT the ſame violence, by which he had ſo long been oppreſſed, might not ſtill reach him, and extort his conſent to the ordinance of the militia, Charles had reſolved to remove farther from London: And accordingly, taking the Prince of Wales and the Duke of York along with him, he arrived, by ſlow journeys, at York, which he was determined, for ſome time, to make the place of his reſidence. The diſtant parts of the kingdom, being removed from that furious vortex of new principles and opinions, which had tranſported the capital, ſtill retained a ſincere regard for the church and monarchy; and the king here found marks of attachment beyond what he had before expected §. From all quarters of England, the prime nobility and gentry, either perſonally, or by meſſages and letters, expreſſed their duty towards him: and exhorted him to ſave himſelf and them from that ignominious ſlavery, with which they were threatened. The ſmall interval of time, which had paſſed ſince the fatal accuſation of the members, had been ſufficient to open the eyes of many, and to recover them from the aſtoniſhment, with which, at firſt, they had been ſeized. One raſh and paſſionate attempt of the King ſeemed but a ſmall counter-balance to ſo many acts of deliberate violence, which had been offered to him and every other branch of the le- King arrives at York.

* Ruſhworth, part iii. vol. i. chap. 4. p. 524.
† Clarendon, Ruſhworth, part iii. vol. i. chap. 2. p. 495.
‡ Dugdale, p. 89. § Warwick, p. 208.

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giſlature. And however ſweet the ſound of liberty, many reſolved to adhere to that moderate freedom, tranſmitted them from their anceſtors, and now better ſecured by ſuch important conceſſions; rather than, by engaging in a giddy ſearch after greater independence, run a manifeſt riſque, either of incurring a cruel ſubjection, or abandoning all law and order.

CHARLES, finding himſelf ſupported by a conſiderable party in the kingdom, began to ſpeak in a firmer tone, and to retort the accuſations of the commons with a vigour, which he had never before exerted. Notwithſtanding all their remonſtrances and menaces, and inſults, he ſtill perſiſted in refuſing the militia-ordinance; and they proceeded to frame a new ordinance, in which, by the authority of the two houſes, without the King's conſent, they named lieutenants for all the counties, and conferred on them the command of the whole military force, of all the guards, garriſons, and forts of the kingdom. He iſſued proclamations againſt this manifeſt uſurpation. And, as he profeſſed a reſolution ſtrictly to obſerve the law himſelf, ſo was he determined, he ſaid, to oblige every other perſon to pay it a like obedience. The name of the king was ſo eſſential to all laws, and ſo familiar in all acts of executive authority, that the parliament were afraid, had they totally omitted it, that the innovation would be too ſenſible to the people. In all commands, therefore, which they conferred, they bound the perſons to obey the orders of his Majeſty, ſignified by both houſes of parliament. And, inventing a diſtinction, hitherto unheard of, between the office and the perſon of the king; thoſe very forces, which they employed againſt him, they levied in his name and by his authority *.

'TIS remarkable how much the topics of argument were now reverſed between the parties. The King, while he acknowledged his former error, of employing a plea of neceſſity, in order to infringe the laws and conſtitution, warned the parliament not to imitate an example, on which they threw ſuch violent blame; and the parliament, while they cloathed their perſonal fears or ambition under the appearance of national and imminent danger, made unknowingly an apology for the moſt exceptionable part of the King's conduct. That the liberties of the people were no longer expoſed to any peril from royal authority, ſo narrowly circumſcribed, ſo exactly defined, ſo unſupported by revenue and by military power, might be maintained upon very plauſible topics: But that the danger, allowing it to have any exiſtence, was not of that kind; great, urgent, inevitable; which diſſolves all law and levels all limitations, ſeems apparent from the ſimpleſt view of theſe tranſactions. So obvious indeed was the King's preſent inability to invade the conſtitution, that the fears and jealouſies which operated on the

* Ruſhw. vol. v. p. 526.

people,

people, and puſhed them ſo furiouſly to arms, were undoubtedly, not of a civil, but of a religious nature. The diſtempered imaginations of men were agitated with a continual dread of popery, with a horror for prelacy, with an antipathy to ceremonies and the liturgy, and with a violent affection for whatever was moſt oppoſite to theſe objects of averſion. The fanatical ſpirit, let looſe, confounded all regards to eaſe, ſafety, intereſt; and diſſolved every moral and civil obligation *. Chap. VI. 1642.

EACH party was now willing to throw on its antagoniſt the odium of commencing a civil war; but both of them prepared for an event, which they deemed inevitable. To gain the people's favour and good opinion was the chief point on both ſides. Never was there a people leſs corrupted by vice, and more actuated by principle, than the Engliſh during that period: Never were there individuals who poſſeſſed more capacity, more courage, more public ſpirit, more diſintereſted zeal. The infuſion of one ingredient in too large a proportion had corrupted all theſe noble principles, and converted them into the moſt virulent poiſon. To determine his choice in the approaching conteſts, every man hearkened with avidity to the reaſons, propoſed on both ſides. The war of the pen preceded that of the ſword, and daily ſharpened the humours of the oppoſite parties. Beſides private adventurers without number, the King and parliament themſelves carried on the controverſy, by meſſages, remonſtrances, and declarations, where the nation was really the party, to whom all arguments were addreſſed. Charles had here a double advantage. Not only his cauſe was more favourable, as ſupporting the antient government of church and ſtate, againſt the moſt illegal pretenſions: It was alſo defended with more art and eloquence. Lord Falkland had accepted the office of ſecretary; a man who adorned the pureſt virtue, with the richeſt gifts of nature, with the moſt valuable acquiſitions of learning. By

* THE great courage and conduct, diſplayed by many of the popular leaders, have commonly inclined men to do them, in one reſpect, more honour, than they deſerve, and to ſuppoſe, that, like able politicians, they employed pretences which they ſecretly deſpiſed, in order to ſerve their ſelfiſh purpoſes. 'Tis however probable, if not certain, that they were, generally ſpeaking, the dupes of their own zeal. Hypocriſy, quite pure and free from fanaticiſm, is perhaps as rare, as fanaticiſm intirely purged from all mixture of hypocriſy. So congenial to the human mind are religious ſentiments, that it is impoſſible to counterfeit long theſe holy fervors, without feeling ſome ſhare of the aſſumed warmth: And on the other hand, ſo precarious and temporary, from the frailty of human nature, is the operation of theſe ſpiritual views, that the religious extaſies, if conſtantly employed, muſt often be counterfeit, and muſt be warped by thoſe more familiar motives of intereſt and ambition, which inſenſibly gain upon the mind. This indeed ſeems the key to moſt of the celebrated characters of that age. Equally full of fraud and of ardour, theſe pious patriots talked perpetually of ſeeking the Lord, yet ſtill purſued their own purpoſes: and have left a memorable leſſon to poſterity, how deluſive, how deſtructive that principle is, by which they were animated.

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him, assisted by the King himself, were the memorials of the royal party chiefly composed. So sensible was Charles of his superiority in this particular, that he took care to disperse every where the papers of the parliament together with his own, that the people might be the more enabled, by comparison, to form a judgment between them: The parliament, while they distributed copies of their own, were anxious to suppress all the King's compositions *.

To clear up the principles of the constitution, to mark the boundaries of the powers entrusted by law to the several members, to show what great improvements the whole political system had received from the King's late concessions, to demonstrate his intire confidence in his people and his reliance on their affections, to point out the ungrateful returns which had been made him, and the enormous encroachments, insults, and indignities, to which he had been exposed; these were the topics, which, with so much justness of reasoning and propriety of expression, were insisted on in the King's declarations and remonstrances †.

* Rushw. vol. v. p. 751.

† In some of these declarations, supposed to be penned by Lord Falkland, is found the first regular definition of the constitution, according to our present ideas of it, that occurs in any English composition; at least any, published by authority. The three species of government, monarchical, aristocratical, and democratical, are there plainly distinguished, and the English government is expressly said to be none of them pure, but all of them mixed and tempered together. This style, tho' the sense of it was implied in many institutions, no former king of England would have used, and no subject would have been permitted to use. Banks and the crown-lawyers against Hambden, in the case of ship-money, insist plainly and openly on the king's absolute and sovereign power: And the opposite lawyers do not deny it: They only assert, that the subjects have also a fundamental property in their goods, and that no part of them can be taken but by their own consent in parliament. But that the parliament was instituted to check and controul the king, and share the supreme power, would, in all former times, have been esteemed very blunt and indiscreet, if not illegal, language. We need not be surprized, that government should long continue, tho' the boundaries of authority, in their several branches, be implicit, confused, and undetermined. This is the case all over the world. Who can draw an exact line, between the spiritual and temporal powers in catholic states? What code ascertained the precise authority of the Roman senate, in every occurrence? Perhaps, the English is the first mixt government, where the authority of every part has been very accurately defined: And yet there still remain many very important questions, between the two houses, that, by common consent, are buried in a discreet silence. The king's power is, indeed, more exactly limited; but this period, of which we now treat, is the time, at which that accuracy commenced. And it appears from Warwic and Hobbs, that many royalists blamed this philosophical precision in the King's penman, and thought that the veil was very imprudently taken off the mysteries of government. 'Tis certain, that liberty reaped mighty advantages from these controversies and inquiries; and the royal authority itself became more secure, within those provinces, which were assigned to it. *Since the first publication of this history, the sequel of Lord Clarendon has been published; where that nobleman asserts, that he was the author of most of these remonstrances and memorials of the King.*

THO'

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THO' theſe writings were of conſequence, and tended much to reconcile the nation to Charles, it was evident, that they would not be deciſive, and that keener weapons muſt determine the controverſy. To the ordinance of the parliament concerning the militia the King oppoſed his commiſſions of array. The counties obeyed the one or the other, according as they ſtood affected. And in many counties, where the people were divided, mobbiſh combats and ſkirmiſhes enſued ‡. The parliament on this occaſion, went ſo far as to vote, "That, "when the lords and commons in parliament, which is the ſupreme court of ju- "dicature, ſhall declare what the law of the land is, to have this not only queſ- "tioned, but contradicted, is a high breach of their privileges †." This was a plain aſſuming the whole legiſlative authority, and exerting it in the moſt material article, the government of the militia. Upon the ſame principles they pretended, by a verbal criticiſm on the tenſe of a Latin verb, to raviſh from the King his negative voice in the legiſlature *.

THE magazine of Hull contained the arms of all the forces levied againſt the Scots; and Sir John Hotham, the governor, tho' he had accepted of a commiſſion from the parliament, was not thought to be much diſaffected to the church and monarchy. Charles, therefore, entertained hopes, that, if he preſented himſelf at Hull before the commencement of hoſtilities, Hotham, overawed by his preſence, would admit him with his retinue; after which he might eaſily render himſelf maſter of the place. But the governor was on his guard. He ſhut the gates, and refuſed to receive the King, who deſired leave to enter with twenty perſons only. Charles immediately proclaimed him traitor, and complained to the parliament of his diſobedience. The parliament avowed, and juſtified the action §.

Preparations for civil war.

THE county of York levied a guard for the King of 600 men: For the kings of England had hitherto lived among their ſubjects like fathers among their children, and had derived all their ſecurity from the dignity of their character and from the protection of the laws. The two houſes, tho' they had already levied a guard for themſelves; had attempted to ſeize all the military power, all the navy, and all the forts of the kingdom; had openly employed their authority in every kind of warlike preparation: Yet immediately voted, "That the King, ſeduced by wicked council, intended to make war againſt his

‡ May, book ii. p. 99. † Ruſhw. vol. v. p. 534.

* The King, by his coronation oath, promiſes, that he would maintain the laws and cuſtoms which the people had choſen, *quas vulgus elegerit*: The parliament pretended that *elegerit* meant *ſhall chooſe*; and conſequently, that the King had no right to refuſe any bills which ſhould be preſented him. See Ruſhw. vol. v. p. 580.

§ Whitlocke, p. 55. Ruſhw. vol. v. p. 565, &c. May, book ii. p. 51.

"par-

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" parliament, who, in all their conſultations and actions, had propoſed no other " end, but the care of his kingdoms, and the performance of all duty and loy- " alty to his perſon; that this attempt is a breach of the truſt repoſed in him " by his people, contrary to his oath, and tending to a diſſolution of the go- " vernment; and that whoever ſhould aſſiſt him in ſuch a war, were traitors by " the fundamental laws of the kingdom *."

THE armies, which had been every where raiſed on pretence of the ſervice of Ireland, were henceforth more openly inliſted by the parliament for their own purpoſes, and the command of them was given to the Earl of Eſſex. In London no leſs than four thouſand men inliſted in one day †. And the parliament voted a declaration, which they required every member to ſubſcribe, that they would live and die with their general.

10th of June. THEY iſſued orders for bringing in loans of money and plate, in order to maintain forces, which ſhould defend the King and both houſes of parliament: For this ſtyle they ſtill preſerved. Within ten days, vaſt quantities of plate were brought to their treaſurers. Hardly were there men enough to receive it, or room ſufficient to ſtow it. And many with regret were obliged to carry back their offerings, and wait till the treaſurers could find leiſure to receive them. Such zeal animated the pious partizans of the parliament, eſpecially in the city! The women gave up all the plate and ornaments of their houſes, and even their ſilver thimbles and bodkins, in order to ſupport the *Good cauſe* againſt the malignants ‡.

MEANWHILE the ſplendor of the nobility, with which the King was environed, much eclipſed the appearance at Weſtminſter. The Lord keeper, Littleton, after ſending the great ſeal before him, had fled to York. Above forty peers of the firſt rank attended the King §; whilſt the houſe of lords ſeldom conſiſted of more than ſixteen members. Near the moiety too of the lower houſe abſented themſelves from councils, which they eſteemed ſo full of danger. The commons ſent up an impeachment againſt nine peers, for deſerting their duty in parliament. Their own members alſo, who ſhould return to them, they voted not to admit, till ſatisfied concerning the reaſon of their abſence.

CHARLES made a declaration to the peers who attended him, that he expected from them no obedience to any commands, which were not warranted by the laws of the land. The peers anſwered this declaration by a proteſt, in which they declared their reſolution to obey no commands, but ſuch as were warranted by that authority ‖. By theſe deliberate engagements, ſo worthy of an Engliſh

* Whitlocke, p. 57. Ruſhw. vol. v. p. 717. Dugdale, p. 93. May, book ii. p. 54.
† Vicar's God in the mount. ‡ Whitlocke, p. 58. Dugdale, p. 96. 99.
§ May, book ii. p. 59. ‖ Ruſhw. vol. v. p. 626, 627. May, book ii. p. 86. Warwick, p. 210.

prince and Engliſh nobility, they meant to confound the furious and tumultuary reſolutions taken by the parliament. Chap. VI. 1642.

THE Queen, diſpoſing of the crown-jewels in Holland, had been enabled to purchaſe a large cargoe of arms and ammunition. Part of theſe, after eſcaping many perils, arrived ſafely to the King. His preparations were not near ſo forward as thoſe of the parliament. In order to remove all jealouſy, he had reſolved, that their uſurpations and illegal pretenſions ſhould be apparent to the whole world, and thought, that, to recover the confidence of the people, was a point much more material to his intereſt, than the collecting any magazines, ſtores, or armies, which might breed apprehenſions of violent or illegal councils. But the urgent neceſſity of his ſituation no longer admitted of delay. He now prepared himſelf for defence. With a ſpirit, activity, and addreſs, which neither the one party apprehended, nor the other expected, he employed all the advantages, which remained to him, and rouſed up his adherents to arms. The reſources of this prince's genius increaſed in proportion to his difficulties; and he never appeared greater than when plunged into the deepeſt perils and diſtreſſes. From the mixt character, indeed, of Charles aroſe, in part, the misfortunes, in which England was, at this time, involved. His political errors, or rather weakneſſes, had raiſed him inveterate enemies: His eminent moral virtues had procured him zealous partizans: And between the hatred of the one and the affections of the other was the nation agitated with the moſt violent convulſions.

THAT the King might deſpair of all compoſition, the parliament ſent him the conditions, on which they were willing to come to agreement. Their demands, contained in nineteen propoſitions, amounted to a total abolition of monarchical authority. They required, That no man ſhould remain in the council, who was not agreeable to parliament; that no deed of the King's ſhould have validity, unleſs it paſſed the council, and was atteſted under their hand; that all the officers of ſtate ſhould be choſen with conſent of parliament; that none of the royal family ſhould marry without conſent of parliament or council; that the laws ſhould be executed againſt catholics; that the votes of popiſh lords ſhould be excluded; that the reformation of the liturgy and church-government ſhould have place, according to advice of parliament; that the ordinance, with regard to the militia, be ſubmitted to; that the juſtice of parliament may paſs upon all delinquents; that a general pardon be granted, with ſuch exceptions as ſhould be adviſed by parliament; that the forts and caſtles be diſpoſed of by conſent of parliament; that no peers be made but with conſent of both houſes *.

"SHOULD I grant theſe demands," ſaid the King in reply, "I may be waited "on bare-headed; I may have my hand kiſſed; the title of majeſty be continued

* Ruſhw. vol. v. p. 722. May, book ii. p. 54.

"to

Chap. VI. 1642. " to me; and *The King's authority, ſignified by both houſes*, may be ſtill the ſtyle " of your commands; I may have ſwords and maces carried before me, and " pleaſe myſelf with the ſight of a crown and ſceptre (tho' even theſe twigs " would not long flouriſh, when the ſtock, upon which they grew, was dead:) " But as to true and real power, I ſhould remain but the outſide, but the picture, " but the ſign of a King ‡." War on any terms was eſteemed, by the King and all his counſellors, preferable to ſo ignominious a peace. Charles accordingly made account of ſupporting his authority by arms. " His towns," he ſaid, " were taken from him, his ſhips, his arms, his money; but there ſtill remained " to him a good cauſe, and the hearts of his loyal ſubjects, which, with God's " bleſſing, he doubted not, would recover all the reſt." Collecting therefore 22d Auguſt. ſome forces, he advanced ſouthwards; and at Nottingham, he erected his royal ſtandard, the open ſignal of diſcord and civil war throughout the nation.

‡ Ruſhw. vol. v. p. 728. Warwic, p. 189.

CHAP.

CHAP. VII.

Commencement of the civil war.——State of parties.——Battle of Edge-hill.——Negotiation at Oxford.——Victories of the royaliſts in the weſt.——Battle of Stratton.——Of Landſdown.——Of Roundway-down.——Death of Hambden.——Briſtol taken.——Siege of Gloceſter.——Battle of Newbury.——Actions in the north of England.——Solemn league and covenant.——Arming of the Scots.——State of Ireland.

WHEN two names, ſo ſacred in the Engliſh conſtitution, as thoſe of KING and PARLIAMENT, were placed in oppoſition to each other; no wonder the people were divided in their choice, and were agitated with the moſt violent animoſities and factions. 1642. Commencement of the war.

THE nobility and more conſiderable gentry, dreading a total confuſion of rank from the fury of the populace, inliſted themſelves in defence of the monarch, from whom they received, and to whom they communicated, their luſtre. Animated with the ſpirit of loyalty, derived from their anceſtors, they adhered to the antient principles of the conſtitution, and valued themſelves on exerting the maxims, as well as inheriting the poſſeſſions, of the old Engliſh families. And while they paſſed their time moſtly in their country-ſeats, they were ſurprized to hear of opinions prevailing, with which they had ever been unacquainted, and which implied not a limitation, but an abolition almoſt total, of monarchical authority *. State of parties.

THE city of London, on the other hand, and moſt of the great corporations, took part with the parliament, and adopted with zeal thoſe democratical principles, on which the pretenſions of that aſſembly were founded. The government of cities, which, even under abſolute monarchies, is commonly republican, inclined them to this party: The ſmall hereditary influence, which can be retained over the induſtrious inhabitants of towns; the natural independence of citizens; and the force of popular currents over thoſe more numerous aſſociations of mankind; all theſe cauſes gave, there, authority to the new principles propagated throughout the nation. Many families too, which had lately been enriched by commerce, ſaw with indignation, that, notwithſtanding their opulence, they could not raiſe themſelves to a level with the antient gentry: They therefore adhered to a

* Among the other nobility, the Earl of Briſtol, tho' long in the oppoſition, when matters came to extremity, adhered to the court, and was proſecuted with implacable hatred by the parliament. He died in France in 1652.

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power, by whoſe ſucceſs they hoped to acquire rank and conſideration *. And the new ſplendor and glory of the Dutch commonwealth, where liberty ſo happily ſupported induſtry, made all the commercial part of the nation ardently deſire to ſee a like form of government eſtabliſhed in England.

THE genius of the two religions, ſo cloſely, at this time, interwoven with politics, correſponded exactly to theſe diviſions. The preſbyterian religion was new, republican, and ſuited to the genius of the populace: The other had an air of greater ſhow and ornament, was eſtabliſhed on antient authority, and bore an affinity to the kingly and ariſtocratical parts of the conſtitution. The devotees of preſbytery became of courſe zealous partizans of the parliament: The friends of the epiſcopal church valued themſelves on defending the rights of monarchy.

SOME men alſo there were, of liberal education, who, being either careleſs or ignorant of thoſe diſputes, bandied about by the clergy of both ſides, aſpired to nothing but an eaſy enjoyment of life, amidſt the jovial entertainment and ſocial intercourſe of their companions. All theſe flocked to the King's ſtandard, where they breathed a freer air, and were exempted from that rigid preciſeneſs and melancholy auſterity, which reigned among the parliamentary party.

NEVER was a quarrel more unequal than ſeemed at firſt that between the contending parties: Almoſt every advantage lay againſt the royal cauſe. The King's revenue had been ſeized, from the beginning, by the parliament, who iſſued out to him, from time to time, ſmall ſums for his preſent ſubſiſtence; and as ſoon as he withdrew to York, they totally ſtopped all payments. London and all the ſea-ports, except Newcaſtle, being in their hands, the cuſtoms yielded them a certain and conſiderable ſupply of money; and all contributions, loans, and impoſitions were more eaſily raiſed from the cities, which poſſeſſed the ready money, and where men lived under their inſpection, then they could be levied by the King in thoſe open countries, which, after ſome time, declared for him.

THE ſeamen naturally followed the diſpoſition of the ſea-ports, to which they belonged. And the Earl of Northumberland, Lord-admiral, having embraced the party of the parliament, had named, at their deſire, the Earl of Warwic for his lieutenant; who at once eſtabliſhed his authority in the fleet, and kept the intire dominion of the ſea in the hands of that aſſembly.

ALL the magazines of arms and ammunition were at firſt ſeized by the parliament; and their fleet intercepted the greateſt part of thoſe, which were ſent by the Queen from Holland. The King was obliged, in order to arm his followers,

* Clarendon, vol. iii. p. 4.

to

to borrow the weapons of the train-bands, under promiſe of reſtoring them, as ſoon as peace ſhould be ſettled in the kingdom. Chap. VII. 1642.

THE veneration for parliaments was, at that time, extreme throughout the nation *. The cuſtom of reviling thoſe aſſemblies for corruption, as it had no pretence, ſo was it unknown, during all former ages. Few or no inſtances of their encroaching ambition or ſelfiſh claims had hitherto been obſerved. Men conſidered the houſe of commons in no other light, than as the repreſentatives of the nation, whoſe intereſt was the ſame with that of the public, who were the eternal guardians of law and liberty, and whom no motive, but the neceſſary defence of the people, could ever engage in an oppoſition to the crown. The torrent, therefore, of general affection ran to the parliament. What is the great advantage of popularity; the privilege of affixing epithets fell of courſe to that party. The King's adherents were the *Wicked* and the *Malignant:* Their adverſaries were the *Godly* and the *Well-affected.* And as the force of the cities was more united than that of the country, and at once gave ſhelter and protection to the parliamentary party, who could eaſily ſuppreſs the royaliſts in their neighbourhood; almoſt the whole kingdom, at the commencement of the war, ſeemed to be in the hands of the parliament †.

WHAT alone gave the King ſome compenſation for all the advantages, poſſeſſed by his adverſaries, was the nature and qualities of his adherents. More bravery and activity were hoped for, from the generous ſpirit of the nobles and gentry, than from the baſe diſpoſition of the multitude. And as the men of eſtates, at their own expence, levied and armed their tenants; beſides an attachment to their maſters, greater force and courage were to be expected in theſe ruſtic troops than in the vitious and enervated populace of cities.

THE neighbouring ſtates of Europe, being engaged in violent wars, little intereſted themſelves in theſe civil commotions; and this iſland enjoyed the ſingular advantage (for ſuch it ſurely was) of fighting out its own quarrels without the interpoſition of foreigners. France from policy had fomented the firſt diſorders in Scotland; had ſent over arms to the Iriſh rebels; and continued to give countenance to the Engliſh parliament: Spain, from bigotry, furniſhed the Iriſh with ſome ſupplies of money and arms. The Prince of Orange, cloſely allied to the crown, encouraged Engliſh officers, who ſerved in the Low-countries, to inliſt in the King's army: the Scots officers, who had been formed in Germany, and in the late commotions, chiefly took part with the parliament.

THE contempt, entertained by the parliament of the King's party, was ſo great, that it was the chief cauſe of puſhing matters to ſuch extremity againſt him; and many believed, that he never would attempt reſiſtance, but muſt at laſt yield to

* Walker, p. 336. † Warwick, p. 218.

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the pretenſions, however enormous, of the two houſes. Even after his ſtandard was erected, men could not be brought to apprehend the danger of a civil war; nor was it imagined that he would have the imprudence to enrage his implacable enemies, and render his own condition more deſperate, by oppoſing a force which was ſo much ſuperior. The low condition, in which he appeared at Nottingham, confirmed all theſe hopes. His artillery, though far from numerous, he had been obliged to leave at York, for want of horſes to tranſport it. Beſides the trained bands of the county, raiſed by Sir John Digby, the ſheriff, he had not got together above three hundred infantry. His cavalry, in which conſiſted his chief ſtrength, exceeded not eight hundred, and were very ill provided of arms. The forces of the parliament lay at Northampton, within a few days march of him; and conſiſted of above ſix thouſand men, well armed and well appointed. Had theſe troops advanced upon the King, they muſt ſoon have diſſipated the ſmall force which he had aſſembled. By purſuing him in his retreat, they would have ſo diſcredited his cauſe and diſcouraged his adherents, as to have for ever prevented his gathering an army able to make head againſt them. But the Earl of Eſſex, the parliamentary general, had not yet received any orders from his maſters *. What rendered them ſo backward, after ſuch precipitant ſteps as they had formerly taken, is not eaſily explained. 'Tis probable, that in the extreme diſtreſs of his party conſiſted the preſent ſafety of the King. The parliament hoped, that the royaliſts, ſenſible of their feeble condition, and convinced of their ſlender reſources, would diſperſe of themſelves, and leave their adverſaries a victory, ſo much the more compleat and ſecure, that it would be gained without the appearance of force and without bloodſhed. Perhaps too, when it became neceſſary to make the concluding ſtep, and offer bare-faced violence to their ſovereign, their ſcruples and apprehenſions, tho' not ſufficient to overcome their reſolutions, were able to retard the execution of them †.

Sir Jacob Aſtley, whom the King had appointed major general of his intended army, told him, that he could not give him aſſurance but he might be taken out of his bed, if the rebels ſhould make a briſk attempt to that purpoſe. All the King's attendants were full of well-grounded apprehenſions. Some of the lords having deſired, that a meſſage might be ſent to the parliament with overtures to a treaty; Charles, who well knew that an accommodation, in his preſent condition, meant nothing but a total ſubmiſſion, haſtily broke up the council, leſt this propoſal ſhould be farther inſiſted on. But next day, the Earl of Southampton, whom no one could ſuſpect of baſe or timid counſels, having offered the ſame advice, it was hearkened to with more coolneſs and deliberation. He urged, That, tho' ſuch a ſtep would probably encreaſe the inſolence of the parliament; this was ſo far from being an objection, that ſuch diſpoſitions muſt

* Clarendon, vol. iii. p. 1, 2. † Ibid. p. 18.

neceſſarily

neceſſarily turn to the advantage of the royal cauſe: That if they refuſed to treat, which was moſt probable, the very ſound of peace was ſo popular, that nothing could more diſguſt the nation than ſuch haughty ſeverity: That if they admitted of a treaty, their propoſals, conſidering their preſent condition, would be ſo exorbitant, as to open the eyes of their moſt partial adherents, and gain the general favour to the King's party: And that, at worſt, time might be gained by this expedient, and a delay of the imminent danger, with which the King was at preſent threatened *.

Charles, on aſſembling the council, had declared againſt all advances towards an accommodation; and had ſaid, that, having now nothing left him but his honour, that laſt poſſeſſion he was reſolved ſteadily to preſerve, and rather to periſh than yield any farther to the pretenſions of his enemies †. But by the concurrent deſire of the counſellors, he was prevailed with to embrace Southampton's advice. That Nobleman, therefore, with Sir John Colepeper and Sir William Uvedale, was diſpatched to London with offers of a treaty ‡. The manner in which they were received, gave little hopes of ſucceſs. Southampton was not allowed by the peers to take his ſeat; but was ordered to deliver his meſſage to the uſher, and to depart the city immediately: The commons ſhowed little better diſpoſition to Colepeper and Uvedale §. Both houſes replied, that they could admit no treaty with the King, till he took down his ſtandard, and recalled his proclamations, in which the parliament ſuppoſed themſelves to be declared traitors. The King, by a ſecond meſſage, denied any ſuch intention againſt the two houſes; but offered to recall theſe proclamations, provided the parliament agreed to recall theirs, in which his adherents were declared traitors. They deſired him in return to diſmiſs his forces, to reſide with his parliament, and give up delinquents to their juſtice; that is, abandon himſelf and his friends to the mercy of his enemies ‖. Both parties flattered themſelves, that, by theſe meſſages and replies, they had gained the ends which they propoſed ¶. The King believed, that the people were ſufficiently ſatisfied of the parliament's inſolence and averſion to peace: The parliament intended, by this vigour in their reſolutions, to ſupport the vigour of their military operations.

The courage of the parliament was ſupported, beſides their great ſuperiority of force, by two recent events, which had happened in their favour. Goring was governor of Portſmouth, the beſt fortified town in the kingdom, and, by its ſituation, of great importance. This man ſeemed to have rendered himſelf an implacable enemy to the King, by betraying, probably magnifying, the ſe-

* Clarendon, vol. iii. p. 7. † Id. Ibid. ‡ Ruſhw. vol. v. p. 784.
§ Clarendon, vol. iii. p. 10. ‖ Ruſhw. vol. v. p. 786. Dugdale, p. 102.
¶ Whitlocke, p. 59.

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cret cabals of the army; and the parliament thought, that his fidelity to them might, on that account, be entirely depended on. But the ſame levity of mind ſtill attended him, and the ſame diſregard to engagements and profeſſions. He took underhand his meaſures with the court, and declared againſt the parliament. But, tho' he had been ſufficiently ſupplied with money, and long before knew his danger; ſo ſmall was his foreſight, that he had left the place entirely deſtitute of proviſions, and, in a few days, he was obliged to ſurrender to the forces of the parliament *.

THE Marqueſs of Hertford was a nobleman of the greateſt quality and character in the kingdom, and, equally with the King, deſcended, by a female, from Henry VII. During the reign of James, he had attempted, without having obtained the conſent of that monarch, to marry Arabella Stuart, a Lady nearly related to the crown; and, upon diſcovery of his intention, had been obliged, for ſome time, to fly the kingdom. Ever after, he was looked on with an evil eye at court, from which, in a great meaſure, he withdrew; and living in an independent manner, he addicted himſelf intirely to literary occupations and amuſements. In proportion as the King declined in popularity, Hertford's character flouriſhed with the people; and when this parliament aſſembled, no nobleman in the kingdom poſſeſſed more general favour and authority. By his ſagacity, he ſoon perceived, that the commons, not content with correcting the abuſes of government, were carried, by the natural current of power and popularity, into the oppoſite extreme, and were committing violations, no leſs dangerous than the former, upon the Engliſh conſtitution. Immediately he devoted himſelf to the ſupport of the King's falling authority, and was prevailed with to be governor to the young Prince, and reſide in the court, to which, in the eyes of all men, he gave, by his preſence, a new luſtre and authority. So high was his character for mildneſs and humanity, that he ſtill preſerved, by means of theſe popular virtues, the public favour; and every one was ſenſible of the true motive of his change. Notwithſtanding his habits of eaſe and ſtudy, he now beſtirred himſelf in raiſing an army for the King; and being named general of the weſtern counties, where his intereſt chiefly lay, he began to aſſemble forces in Somerſetſhire. By the aſſiſtance of Lord Seymour, Lord Paulet, John Digby, ſon to the Earl of Briſtol, Sir Francis Hawley, and others, he had drawn together ſome appearance of an army; when the parliament, apprehenſive of the danger, ſent the Earl of Bedford with a conſiderable force againſt him. On his appearance, Hertford was obliged to retire into Sherborne caſtle; and finding that place incapable of defence, he himſelf paſſed over into Wales, leaving Sir Ralph Hopton, Sir John Berkeley, Digby, and other officers, with their horſe, conſiſting of about a hun-

* Ruſhw. vol. v. p. 683. Whitlocke, p. 60. Clarendon, vol. iii. p. 19.

dred and twenty, to march into Cornwall, in hopes of finding that county better prepared for their reception *. Chap. VII. 1642.

All the diſperſed bodies of the parliament's army were now ordered to march to Northampton; and the Earl of Eſſex, who had joined them, found the whole amount to 15000 men †. The King, tho' his camp had been gradually reinforced from all quarters, was ſenſible, that he had no army which could cope with ſo formidable a force; and he thought it prudent, by ſlow marches, to retire to Derby, and thence to Shrewſbury, in order to countenance the levies, which his friends were making in thoſe quarters. At Wellington, a day's march from Shrewſbury, he made a rendezvous of all his forces, and cauſed his military orders to be read at the head of each regiment. That he might bind himſelf by reciprocal ties, he ſolemnly took the following proteſtation before his whole army.

"I do promiſe, in the preſence of Almighty God, and as I hope for his bleſſing "and protection, that I will, to the utmoſt of my power, defend and maintain "the true reformed proteſtant religion, eſtabliſhed in the church of England, "and, by the grace of God, in the ſame will live and die.

"I deſire, that the laws may ever be the meaſure of my government, and "that the liberty and property of the ſubject may be preſerved by them with "the ſame care as my own juſt rights. And if it pleaſe God, by his bleſſing on "this army, raiſed for my neceſſary defence, to preſerve me from the preſent "rebellion; I do ſolemnly and faithfully promiſe, in the ſight of God, to main-"tain the juſt privileges and freedom of parliament, and to govern, to the ut-"moſt of my power, by the known ſtatutes and cuſtoms of the kingdom, and "particularly, to obſerve inviolably the laws to which I have given my conſent "this parliament. Meanwhile, if this emergence, and the great neceſſity to "which I am driven, beget any violation of law, I hope it ſhall be imputed by "God and man to the authors of this war; not to me, who have ſo earneſtly "laboured to preſerve the peace of the kingdom.

"When I willingly fail in theſe particulars, I ſhall expect no aid or relief "from man, nor any protection from above: But in this reſolution, I hope for "the chearful aſſiſtance of all good men, and am confident of the bleſſing of "heaven ‡."

Tho' the concurrence of the church undoubtedly increaſed the King's adherents, it may ſafely be affirmed, that the high monarchical doctrines, ſo much inculcated by the clergy, had never done him any real ſervice. The bulk of that generous train of nobility and gentry, who now attended the King in his diſtreſſes, breathed the ſpirit of liberty, as well as of loyalty: And in the hopes alone of

* Clarendon, vol. vi. p. 2, 3, &c. † Whitlocke, p. 60.
‡ Clarendon, vol. iii. p. 16, 17. Dugdale, p. 109.

his

Chap. VII. 1642. his submitting to a legal and limited government, were they willing in his defence to sacrifice their lives and fortunes.

While the King's army lay at Shrewsbury, and he was employing himself in collecting money, which he received, tho' in no great quantities, by voluntary contributions, and by the plate of the universities, which was sent him; the news arrived of an action, the first which had happened in these wars, and where he was successful.

On the appearance of commotions in England, the Princes, Rupert and Maurice, sons of the unfortunate Palatine, had offered their service to the King; and the former, at that time, commanded a body of horse, which had been sent to Worcester, in order to watch the motions of Essex, who was marching towards that city. No sooner had the Prince arrived, than he saw some cavalry of the enemy approaching the gates. Without delay, he briskly attacked them, as they were defiling from a lane and forming themselves. Colonel Sandys, who led them and who fought with valour, being mortally wounded, fell from his horse. The whole party was routed, and was pursued above a mile. The Prince hearing of Essex's approach, retired to the King *. This rencounter, tho' in itself of small importance, raised mightily the reputation of the royalists, and acquired universally to Prince Rupert the character of promptitude and courage; qualities, which he eminently displayed, during the whole course of the war.

The King, on mustering his army, found it about 10,000 men. The Earl of Lindesey, who in his youth had fought experience of military service in the Low-countries †, was general: Prince Rupert commanded the horse: Sir Jacob Astley, the foot: Sir Arthur Aston, the dragoons: Sir John Heydon, the artillery. The Lord Bernard Stuart was at the head of a troop of guards. The estate and revenue of this single troop, according to Lord Clarendon's computation, was at least equal to that of all the members, who, at the commencement of the war, voted in both houses. Their servants, under the command of Sir William Killigrew, made another troop, and always marched with their masters ‡.

12th Oct. With this army the King left Shrewsbury, resolving to give battle as soon as possible, to the army of the parliament, which he heard was continually augmenting by supplies from London. In order to bring on an action, he directed his course towards the capital, which, he knew, the enemy would not abandon to him. Essex had now received his instructions. The import of them was, to present a most humble petition to the King, and to rescue him, and the royal family, from those desperate malignants, who had seized their persons §. Two

* Clarendon, vol. iii. p. 25. May, book iii. p. 10.

† He was then Lord Willoughby.

‡ Clarendon, vol. iii. p. 41. Warwick, p. 231.

§ Whitlocke, p. 59. Clarendon, vol. iii. p. 27 2?, &c.

days

days after the departure of the royaliſts from Shrewſbury, he left Worceſter. Tho' it be eaſy in civil wars to get intelligence, the two armies were within ſix miles of each other, ere either of the generals was acquainted with the approach of his enemy. Shrewſbury and Worceſter, the places from which they ſet out, are not above twenty miles diſtant; yet had the two armies marched ten days in this mutual ignorance. So much had military ſkill, during a long peace, decayed in England *. Chap. VII. 1642.

THE royal army lay near Banbury: That of the parliament, at Keinton, in the county of Warwic. Prince Rupert ſent intelligence of the approach of the enemy. Tho' the day was far advanced, the King reſolved upon the attack: Eſſex drew up his men to receive him. Sir Faithful Forteſcue, who had levied a troop for the Iriſh wars, had been obliged to ſerve in the parliamentary army, and was now poſted on the left wing commanded by Ramſay, a Scotſman. No ſooner did the King's army approach, than Forteſcue, ordering his troop to diſcharge their piſtols in the ground, put himſelf under the command of Prince Rupert. Partly from this accident, partly from the furious ſhock made upon them by the Prince; that whole wing of cavalry immediately fled, and were purſued for two miles. The right wing of the parliament's army had no better ſucceſs. Chaced from their ground by Wilmot and Sir Arthur Aſton, they alſo took to flight. The King's body of reſerve, commanded by Sir John Biron, judging, like raw ſoldiers, that all was over, and impatient to have ſome ſhare in the action, heedleſsly followed the chace, which their left wing had precipitately led them. Sir William Balfour, who commanded Eſſex's reſerve, perceived the advantage: He wheeled about upon the King's infantry, now quite unfurniſhed of horſe, and made great havock among them. Lindeſey, the general, was mortally wounded, and taken priſoner. His ſon endeavouring his reſcue, fell likewiſe into the enemy's hands. Sir Edmund Verney, who carried the King's ſtandard, was killed, and the ſtandard taken, but it was afterwards recovered. In this ſituation, Prince Rupert, on his return, found affairs. Every thing bore the appearance of a defeat, inſtead of a victory, with which he had haſtily flattered himſelf. Some adviſed the King to leave the field: But that Prince rejected ſuch puſillanimous counſel. The two armies faced each other for ſome time, and neither of them retained courage ſufficient for a new attack. All night they lay under arms; and next morning found themſelves in ſight of each other. General, as well as ſoldier, on both ſides, ſeemed averſe to renew the battle. Eſſex firſt drew off and retired to Warwic. The King returned to his former quarters. Five thouſand men are ſaid to have been found dead on the field of battle, and the loſs of the two armies, as far as we can judge by the Battle of Edge-hill. 23d of Oct.

* Clarendon, vol. iii. p. 44.

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oppoſite accounts, was nearly equal. Such was the event of this firſt battle, fought at Keinton or Edge-hill *.

SOME of Eſſex's horſe, who had been drove off the field in the beginning of the action, flying to a great diſtance, carried news of a total defeat, and ſtruck a mighty terror into the city and parliament. After a few days, a more juſt account arrived; and then the parliament pretended to a compleat victory †. The King alſo, on his part, was not wanting to diſplay his advantages; tho', except the taking of Banbury, a few days after, he had few marks of victory to boaſt of. He continued his march, and took poſſeſſion of Oxford, the only town in his dominions, which was altogether at his devotion.

AFTER the royal army was recruited and refreſhed; as the weather ſtill continued favourable, it was again put in motion. A party of horſe approached to Reading, of which Martin was appointed governor by the parliament. Both governor and garriſon were ſeized with a panic, and fled with precipitation to London. Charles, hoping that every thing would yield before him, advanced with his whole army to Reading. The parliament, who, inſtead of their fond expectations that Charles would never be able to collect an army, had now the proſpect of a civil war, bloody, and of uncertain event; were farther alarmed at the near approach of the royal army, while their own forces lay at a diſtance. They voted an addreſs for a treaty. The King's nearer approach to Colebroke quickened their advances. Northumberland and Pembroke with three commoners preſented the addreſs of both houſes; in which they beſought his Majeſty to appoint ſome convenient place, where he might reſide, till committees could attend him with propoſals. The King named Windſor, and deſired, that the garriſon might be removed, and his own troops admitted into that caſtle ‡.

MEAN while Eſſex, advancing by haſty marches, had arrived at London. But neither the preſence of his army, nor the precarious hopes of a treaty, retard-
30th of Nov. ed the King's approaches. Charles attacked, at Brentford, two regiments quartered there, and, after a ſharp action, beat them from that village, and took about 500 priſoners. The parliament had ſent orders to forbear all hoſtilities, and had expected the ſame compliance from the King; tho' no ſtipulations to that purpoſe had been mentioned by their commiſſioners. Loud complaints were raiſed againſt this attack, as if it had been the moſt apparent perfidy and breach of treaty §. Enflamed with reſentment, as well as anxious for its own defence, the city marched its trained bands in excellent order, and joined the army under Eſſex. The

* Clarendon, vol. iii. p 44, &c. May, book iii. p. 16, &c. † Whitlocke, p. 61. Clarendon, vol. iii p. 59. ‡ Whitlocke, p. 62. Clarendon, vol. iii. p. 73. § Whitlocke, p. 62. Clarendon, vol. iii. p. 75.

force

force of the parliamentary army now amounted to above 24000 men, and was much ſuperior to that of the King's *. After both armies had faced each other for ſome time, the King drew off and retired to Reading, and from thence to Oxford. Chap. VII. 1642.

While the principal armies on both ſides were kept in inaction by the winter ſeaſon, the King and parliament were employed in real preparations for war, and in ſeeming advances towards peace. By means of contributions or aſſeſſments, levied by the horſe, Charles maintained his cavalry: By loans and voluntary preſents, ſent him from all parts of the kingdom, he ſupported his infantry: But the ſupplies were ſtill very unequal to the neceſſities under which he laboured †. The parliament had much greater reſources for money; and had, by conſequence, every military preparation in much greater order and abundance. Beſides an impoſition levied in London, amounting to the five and twentieth part of every one's ſubſtance, they eſtabliſhed on that city a weekly aſſeſſment of 10,000 pounds, and another of 23,518, on the reſt of the kingdom ‡. And as their authority was at preſent eſtabliſhed in moſt counties, they levied theſe taxes with great regularity; tho' they amounted to ſums, much beyond what the nation had formerly paid to the public exigencies.

The King and parliament ſent reciprocally their demands; and a treaty commenced, but without any ceſſation of hoſtilities, as had at firſt been propoſed. The Earl of Northumberland and four members of the lower houſe came to Oxford as commiſſioners §. In this treaty, the King perpetually inſiſted on the reeſtabliſhment of the crown in its legal powers, and on the reſtoration of his conſtitutional prerogatives ‖: The parliament ſtill required new conceſſions, and a farther abridgment of regal authority, as a more effectual remedy to their fears and jealouſies. Finding the King ſupported by more forces and a greater party, than they had ever looked for, they ſeemingly abated ſomewhat of thoſe exorbitant conditions, which they had formerly claimed; but their demands were ſtill too great for an equal treaty. Beſides other articles, to which a compleat victory could alone intitle them; they required the King, in expreſs terms, utterly to aboliſh epiſcopacy; a demand, which, before, they only inſinuated: And they required, that all other eccleſiaſtical controverſies ſhould be determined by *their* aſſembly of divines; that is, in the manner the moſt repugnant to the inclinations of the King and all his partizans. They likewiſe deſired him to acquieſce in their ſettlement of the militia, and to confer on their adherents the intire authority of the ſword. And in anſwer to the King's propoſal, that his magazines, towns, forts, and ſhips, ſhould be reſtored to him, the parliament required, that they ſhould be put into ſuch hands as they could confide in ¶. The nineteen propoſi- 1643. Negotiation at Oxford.

* Whitlocke, p. 62. † Clarendon, vol. iii. p. 87. ‡ Ibid. p. 171. §. Whitlocke, p. 64. ‖ Ruſhw. vol. vi. p. 202. ¶ Ibid. p. 166. Clarendon, vol. iii. p. 119.

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tions which they formerly ſent the King, ſhewed their *inclination* to aboliſh monarchy: They only aſked, at preſent, the *power* of doing it. And having now, in the eye of the law, been guilty of treaſon, by levying war againſt their ſovereign; it is evident, that their fears and jealouſies muſt, on that account, have multiplied extremely, and have rendered their perſonal ſafety, which they interwove with that of the nation, ſtill more incompatible with the authority of the monarch. Tho' the gentleneſs and lenity of the King's temper might have enſured them againſt all ſchemes of future vengeance; they preferred, as is, no doubt, but too natural, an independent ſecurity, accompanied too with ſovereign power, before the ſtation of ſubjects, and that not intirely guarded from all apprehenſions of danger *.

THE conferences went no farther than the firſt demand on each ſide. The parliament, finding, that there was no likelihood of coming to any agreement, ſuddenly recalled their commiſſioners.

A military enterprize, which they had concerted early in the ſpring, was immediately undertaken. Reading, the garriſon of the King, which lay neareſt London, was eſteemed a place of conſiderable ſtrength, in that age, when the art of attacking towns was not well underſtood in Europe, and was totally unknown in England. The Earl of Eſſex ſat down before this place with an army of 18000 men; and carried on his attacks by regular approaches. Sir Arthur Aſton, the governor, being wounded, Colonel Fielding ſucceeded to the command. In a little time, the town was found to be no longer in a condition of defence; and, tho' the King approached, with an intention of obliging Eſſex to

15th April.

* Whitlocke, who was one of the commiſſioners, ſays, p. 65. "In this treaty, the King manifeſted "his great parts and abilities, ſtrength of reaſon and quickneſs of apprehenſion, with much patience "in hearing what was objected againſt him; wherein he allowed all freedom, and would himſelf "ſum up the arguments and give a moſt clear judgment upon them. His unhappineſs was, that he "had a better opinion of others judgments than of his own, tho' they were weaker than his own; "and of this the parliament commiſſioners had experience to their great trouble. They were often "waiting on the King, and debating ſome points of the treaty with him, until midnight, before "they could come to a concluſion. Upon one of the moſt material points, they preſſed his Majeſty "with their reaſons and beſt arguments they could uſe to grant what they deſired. The King ſaid, "he was fully ſatisfied, and promiſed to give them his anſwer in writing according to their deſire; "but, becauſe it was then paſt midnight, and too late to put it into writing, he would have it drawn "up next morning (when he commanded them to wait on him again) and then he would give them "his anſwer in writing, as it was now agreed upon. But next morning the King told them, that "he had altered his mind: And ſome of his friends, of whom the commiſſioners inquired, told "them, that after they were gone, and even his council retired, ſome of his bed-chamber never "left preſſing and perſuading him till they prevailed on him to change his former reſolutions." It is difficult, however, to conceive, that any treaty could have ſucceeded betwixt the King and parliament, while the latter inſiſted, as they all along did, on a total ſubmiſſion to all their demands, and challenged the whole power, which they intended to employ to the puniſhment of all the King's friends.

raiſe

raiſe the ſiege, the diſpoſition of the parliamentary army was ſo ſtrong, as rendered that deſign impracticable. Fielding, therefore, was contented to yield the town, on condition, that he ſhould bring off all the garriſon with the honours of war, and deliver up deſerters. This laſt condition was thought ſo ignominious and ſo prejudicial to the King's intereſt, that the governor was tried by a council of war, and condemned to loſe his life for conſenting to it. His ſentence was afterwards remitted by the King *. Chap. VII. 1643. 27th April.

Essex's army had been fully ſupplied with all neceſſaries from London: Even many ſuperfluities and luxuries were ſent them by the care of the zealous citizens: Yet the hardſhips, which they ſuffered from the ſiege, during ſo early a ſeaſon, had weakened them to ſuch a degree, that they were no longer fit for any new enterprize. And the two armies, for ſome time, encamped in the neighbourhood of each other, without attempting, on either ſide, any action of moment.

Besides the military operations between the principal armies, which lay in the centre of England; each county, each town, each family almoſt, was divided within itſelf; and the moſt violent convulſions ſhook the whole kingdon. Throughout the winter, continual efforts had every where been made by each party to ſurmount its antagoniſt; and the Engliſh, rouzed from the lethargy of peace, with eager, tho' unſkilful hands, employed againſt their fellow citizens their long neglected weapons. The furious zeal for liberty and preſbyterian diſcipline, which had hitherto run uncontrouled thro' the nation, now at laſt excited an equal ardour for monarchy and epiſcopacy; when the intention of aboliſhing theſe antient modes of government was openly avowed by the parliament. Conventions for neutrality, tho', in ſeveral counties, they had been entered into, and confirmed by the moſt ſolemn oaths, yet being voted illegal by the two houſes, were immediately broke †; and the fire of diſcord was ſpread into every quarter. The altercation of diſcourſe, the controverſies of the pen, but above all, the declamations of the pulpit, indiſpoſed the minds of men towards each other, and propagated the blind rage of party ‡. Fierce, however, and enflamed as were the diſpoſitions of the Engliſh, by a war, both civil and religious, that great deſtroyer of humanity; all the events of this period are leſs diſtinguiſhed by atrocious deeds, either of treachery or cruelty, than were ever any inteſtine diſcords, which had ſo long a continuance. A circumſtance, which will be found to imply great praiſe of the national character of that people, now ſo unhappily rouzed to arms.

* Ruſhw. vol. vi. p. 265, &c. Clarendon, vol. iii. p. 237, 238, &c. † Clarendon, vol. iii. p. 137, 139. ‡ Dugdale, p. 95.

In

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In the north, the Lord Fairfax commanded for the parliament, the Earl of Newcaſtle for the King. This laſt Nobleman began thoſe aſſociations, which were afterwards ſo much practiſed in other parts of the kingdom. He united in a league for the King the counties of Northumberland, Cumberland, Weſtmoreland, and the Biſhopric; and engaged, ſome time after, other counties in the ſame aſſociation. Finding that Fairfax, aſſiſted by Hotham and the garriſon of Hull, was making progreſs in the ſouthern parts of Yorkſhire; he advanced with a body of four thouſand men and took poſſeſſion of York. At Tadcaſter, he attacked the forces of the parliament and diſlodged them: But his victory was not deciſive. In other rencounters he obtained ſome inconſiderable advantages. But the chief benefit, which reſulted from his enterprizes, was the eſtabliſhing the King's authority in all the northern provinces.

In another part of the kingdom, the Lord Broke was killed by a ſhot, while he was taking poſſeſſion of Litchfield for the parliament *. After a ſharp combat, near Stafford, between the Earl of Northampton and Sir John Gell, the former, who commanded the King's forces, was killed while he fought with extreme valour; and his forces, diſcouraged by his death, tho' they had obtained the advantage in the action, retreated into the town of Stafford †.

Sir William Waller began to diſtinguiſh himſelf among the generals of the parliament. Active and indefatigable in his operations, rapid and enterprizing; he was fitted by his genius to the nature of the war; which being managed by raw troops, conducted by unexperienced commanders, afforded ſucceſs to every bold and ſudden undertaking. After taking Wincheſter and Chicheſter, he advanced towards Gloceſter, which was in a manner blockaded by Lord Herbert, who had levied conſiderable forces in Wales for the royal party ‡. While he attacked the Welch on one ſide, a ſally from Gloceſter made impreſſion on the other. Herbert was defeated; five hundred of his men killed on the ſpot; a thouſand taken priſoners; and he himſelf eſcaped with ſome difficulty to Oxford. Hereford, eſteemed a ſtrong town, defended by a conſiderable garriſon, was ſurrendered to Waller, from the cowardice of Colonel Price the governor. Teukeſbury underwent the ſame fate. Worceſter refuſed him admittance; and Waller, without placing any garriſons in his new conqueſts, retired to Gloceſter, and from thence he joined the army under the Earl of Eſſex §.

* He was taking a view from a window of St. Chad's cathedral in Litchfield, where a party of the royaliſts had fortified themſelves. He was caſed in complete armour, but was ſhot through the eye by a random ball. He was a zealous puritan; and had formerly ſaid, that he hoped to ſee with his eyes the ruin of all the cathedrals of England. It was a ſuperſtitious remark of the royaliſts, that he was killed on St. Chad's day, by a ſhot from St. Chad's cathedral, which pierced that very eye by which he hoped to ſee the ruin of all cathedrals. Dugdale, p. 118. Clarendon, &c.

† Whitlocke, p. 66. Ruſhw. vol. vi. p. 152. Clarendon, vol. iii. p. 151. ‡ Ruſhw. vol. vi. p. 92, 100. § Ibid. p. 263.

But

Chap. VII. 1643. Victories of the royaliſts in the weſt.

But the moſt memorable actions of valour, during this winter-ſeaſon, were performed in the weſt. When Sir Ralph Hopton, with his ſmall troop, retired into Cornwall before the Earl of Bedford, that Nobleman, deſpiſing ſo inconſiderable a force, abandoned the purſuit, and committed the taſk of ſuppreſſing the royal party to the ſheriffs of the county. But the affections of Cornwall were much inclined to the King's ſervice. While Sir Richard Buller and Sir Alexander Carew lay at Launceſton, and employed themſelves in executing the parliament's ordinance for the militia, a meeting of the county was aſſembled at Truro; and after Hopton produced his commiſſion from the Earl of Hertford, the King's general, it was agreed to execute the laws and to expel theſe invaders of the county. The trained bands were accordingly levied, Launceſton taken, and all Cornwall reduced to peace and to obedience under the King.

It had been uſual for the royal party on the commencement of theſe diſorders, to claim, on all occaſions, the ſtrict execution of the laws, which, they knew, were favourable to them; and the parliament, rather than have recourſe to the plea of neceſſity, and avow the tranſgreſſion of any ſtatute, had alſo been accuſtomed to warp the laws, and by forced conſtructions to interpret them in their own favour *. But tho' the King was naturally the gainer by ſuch a method of conducting war, and it was by favour of law, that the trained bands were raiſed in Cornwall; it appeared that theſe maxims were now prejudicial to the royal party. Theſe troops could not legally, without their own conſent, be carried out of the county; and, conſequently, it was impoſſible to puſh into Devonſhire the advantage, which they had obtained. The Corniſh royaliſts, therefore, bethought themſelves of levying a force, which might be more ſerviceable. Sir Bevil Granville, the moſt beloved man of that country, Sir Ralph Hopton, Sir Nicholas Slanning, Arundel and Trevannion, undertook, at their own charges, to raiſe an army for the King; and their great intereſt in Cornwall ſoon enabled them to effect their purpoſe. The parliament, alarmed at this appearance of the royaliſts, gave a commiſſion to Ruthven, a Scotſman, governor of Plymouth, to march with all the forces of Dorſet, Somerſet, and Devon, and make an intire conqueſt of Cornwall. The Earl of Stamford followed him, at ſome diſtance, with a conſiderable ſupply. Ruthven having entered Cornwall by bridges thrown over the Tamar, haſtened to an action; leſt Stamford ſhould join him and obtain the honour of that victory, which he looked for with aſſurance. The royaliſts, in like manner, were impatient to bring the affair to a deciſion, before Ruthven's army ſhould receive ſo conſiderable a reinforcement. The battle was fought on Bradoc-down; and the King's forces, tho' inferior in number, gave a total defeat to their enemies. Ruthven with a few broken troops

* Clarendon, vol. iii. p. 130.

Chap. VII. 1643.

fled to Saltash; and when that town was taken, he escaped, with some difficulty, and almost alone, into Plymouth. Stamford retired, and distributed his forces into Plymouth and Exeter.

NOTWITHSTANDING these advantages, the extreme want both of money and ammunition, under which the Cornish royalists laboured, obliged them to enter into a convention of neutrality with the parliamentary party in Devonshire; and this neutrality held all the winter season. In the spring it was broken by the authority of the two houses; and war recommenced with great appearance of disadvantage to the King's party. Stamford, having assembled a strong body of near seven thousand men, well supplied with money, provisions, and ammunition, advanced upon the royalists, who were not half his number, and were oppressed by every kind of necessity. Despair, joined to the natural gallantry of these troops, commanded by the prime gentry of the county, made them resolve, by one vigorous effort, to overcome all these disadvantages. Stamford being encamped on the top of a high hill near Stratton, they attacked him in four divisions, at five in the morning, having lain all night under arms. One division was commanded by Lord Mohun and Sir Ralph Hopton, another by Sir Bevil Granville and Sir John Berkeley, a third by Slanning and Trevannion, a fourth by Basset and Godolphin. In this manner the action begun; the King's forces pressing with the utmost vigour those four ways up the hill, and their enemies as obstinately defending themselves. The fight continued with very doubtful success, till word was brought to the chief officers of the Cornish, that their ammunition was spent to less than four barrels of powder. This defect, which they concealed from the soldiers, they resolved to supply by their valour. They agreed to advance, without firing, till they should reach the top of the hill, and could be on equal ground with the enemy. The courage of the officers was so well seconded by the soldiers, that the royalists began, on all sides, to gain ground. Major-general Chidley, who commanded the parliament-army, (for Stamford kept at a distance) failed not in his duty; and when he saw his men recoil, himself advanced with a good stand of pikes, and piercing into the thickest of the enemy, was at last overpowered with numbers and taken prisoner. His army, upon this disaster, gave ground apace; insomuch that the four parties of the royalists, growing nearer and nearer as they ascended, at last all met together upon the plain at the top; where they embraced with great joy, and signalized their victory with loud shouts and mutual congratulations *.

Battle of Stratton.

16th of May.

AFTER this success, the attention of both King and parliament was turned towards the west, as to a very important scene of action. The King sent the Marques of Hertford and Prince Maurice, with a reinforcement of cavalry; who having

* Rushw. vol. vi. p. 267, 273. Clarendon, vol. iii. p. 269, 270.

joined

joined the Corniſh army, ſoon over-ran the county of Devon; and advancing into that of Somerſet, began to reduce it to obedience. On the other hand, the parliament having ſupplied Sir William Waller, in whom they much truſted, with a complete army, diſpatched him weſtwards, in order to check the progreſs of the royaliſts. After ſome ſkirmiſhes the two armies met at Lanſdown, near Bath, and fought a pitched battle, with great loſs on both ſides, but without any deciſive event *. The gallant Granville was there killed; and Hopton, by the blowing up of ſome powder, was dangerouſly hurt. The royaliſts next attempted to march eaſtwards and to join their forces to the King's at Oxford: But Waller hung on their rear, and infeſted their march till they reached the Devizes. Reinforced by additional troops, which flocked to him from all quarters; he ſo much ſurpaſſed the royaliſts in number, that they durſt no longer continue their march or expoſe themſelves to the hazard of an action. It was reſolved that Hertford and Prince Maurice ſhould proceed with the cavalry; and having procured a reinforcement from the King ſhould haſten back to the relief of their friends in the Devizes. Waller was ſo confident of taking this body of infantry, now abandoned by their friends, that he wrote to the parliament, that their work was done, and that, by the next poſt, he would inform them of the number and quality of the priſoners. But the King, even before Hertford's arrival hearing of the great difficulties to which his weſtern army was reduced, had prepared a conſiderable body of horſe, which he immediately diſpatched under the command of Lord Wilmot. Waller drew up on Roundway-down, about two miles from the Devizes; and advancing with his horſe to fight Wilmot and prevent his conjunction with the Corniſh infantry, was received with equal valour by the royaliſts. After a ſharp action he was totally routed, and flying with a few horſe, eſcaped to Briſtol. Wilmot ſeizing the enemies cannon, and having joined his friends, whom he came to relieve, attacked Waller's infantry with redoubled courage, drove them off the field, and routed and diſperſed the whole army †.

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Battle of Landſdown. 5th of July.

Battle of Roundway-down. 13th of July.

This important victory, following ſo quick after many other ſucceſſes, ſtruck great diſmay into the parliament, and gave an alarm to their principal army, commanded by Eſſex. Waller exclaimed loudly againſt that general for allowing Wilmot to paſs him, and proceed without any interruption to the ſuccour of the diſtreſſed infantry at the Devizes. But Eſſex, finding that his army fell continually to decay after the ſiege of Reading, was reſolved to remain upon the defenſive; and the weakneſs of the King, and the want of all military ſtores, had alſo reſtrained the activity of the royal army. No action had happened in that part of England, except one ſkirmiſh, which, of itſelf, was of no great

* Ruſhw. vol. vi. p. 284. Clarendon, vol. iii. p. 282. † Ruſhw. vol. vi. p. 285. Clarendon, vol. iii. p. 291.

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consequence, and was rendered memorable by the death alone of the famous Hambden.

Colonel Urrey, a Scotsman, who served in the parliament's army, having received some disgust, came to Oxford, and offered his service to the King. In order to prove the sincerity of his conversion, he informed Prince Rupert of the loose disposition of the enemies quarters, and exhorted him to form some attempt upon them. The Prince, who was intirely fitted for that kind of service, falling suddenly upon the dispersed bodies of Essex's army, routed two regiments of cavalry and one of infantry, and carried his ravages within two miles of the general's quarters. The alarm being given, every one mounted on horseback, in order to pursue the Prince, to recover the prisoners, and to repair the disgrace, which the army had sustained. Among the rest, Hambden, who had a regiment of infantry, that lay at a distance, joined the horse as a volunteer; and overtaking the royalists on Chalgrave field, entered into the thickest of the battle. By the bravery and activity of Rupert, the King's troops were brought off, and a great booty, together with two hundred prisoners, was conveyed to Oxford. But what most pleased the royalists was the expectation, that some disaster had happened to Hambden, their capital and much dreaded enemy. One of the prisoners taken in the action, said, that he was confident Mr. Hambden was hurt: For he saw him, contrary to his usual custom, ride off the field, before the action was finished; his head hanging down, and his hands leaning upon his horse's neck. Next day, the news arrived, that he was shot in the shoulder with a brace of bullets, and the bone broke. Some days after, he died, in exquisite pain, of his wound; nor could his whole party, had their army met with a total overthrow, have been cast into greater consternation. The King himself so highly valued him, that, either from generosity or policy, he intended to have sent him his own surgeon to assist at his cure *.

Death of Hambden.

Many were the virtues and talents of this eminent personage; and his valour, during the war, had shone out with a lustre, equal to that of all the other accomplishments, by which he had ever been so much distinguished. Affability in conversation; temper, art, and eloquence in debate; penetration and discernment in council; industry, vigilance, and enterprize in action; all these praises, are unanimously ascribed to him by historians of the most opposite parties. His virtue too and integrity, in all the duties of private life, are allowed to have been beyond exception: We must only be cautious, notwithstanding his generous zeal for liberty, not hastily to ascribe to him the praises of a good citizen. Thro' all the horrors of civil war, he sought the abolition of monarchy and subversion of the constitution; an end, which, had it been attainable by peaceful measures,

* Warwick's Memoirs, p. 241. Clarendon, vol. ii. p. 264.

ought

ought carefully to have been avoided, by every lover of his country. But whether, in the purſuit of this violent enterprize, he was actuated by private ambition, or by honeſt prejudices, derived from former abuſes of royal authority, it belongs not to an hiſtorian of this age, ſcarce even to an intimate friend, poſitively to determine *. Chap. VII. 1643.

Essex, diſcouraged by this event, diſmayed by the total rout of Waller, was farther informed, that the Queen, who had landed in Burlington bay, had arrived at Oxford, and had brought from the north a reinforcement of three thouſand foot and fifteen hundred horſe. Diſlodging from Thame and Ayleſbury, where he had hitherto lain, he thought proper to retreat nearer London, and he ſhowed to his friends his broken and diſheartened forces, which a few months before, he had led into the field in ſo flouriſhing a condition. The King, freed from this enemy, ſent his army weſtward under Prince Rupert; and by their conjunction with the Corniſh troops, a very formidable force, for numbers, as well as reputation and valour, was compoſed. That an enterprize, correſpondent to mens expectations, might be undertaken, the Prince reſolved to lay ſiege to Briſtol, the ſecond town for riches and greatneſs in the kingdom. Nathaniel Fiennes, ſon to Lord

* The author is ſenſible, that much blame may be thrown upon him, on account of this laſt clauſe in Mr. Hambden's character; as if he was willing to entertain a ſuſpicion of bad intentions, where the actions were praiſe-worthy. But the author's meaning is directly contrary: He eſteems the laſt actions of Mr. Hambden's life to have been very blameable; tho', as they were derived from good motives, only puſhed to an extreme, there is room left to believe, that the intentions of that patriot, as well as of many of his party, were extremely laudable. Had the preceding adminiſtration of the King, which we are apt to call arbitrary, proceeded from ambition, and an unjuſt deſign of encroaching on the ancient liberties of the people, there would have been leſs reaſon for giving him any truſt, or leaving in his hands a conſiderable ſhare of that power, which he had ſo much abuſed. But if his conduct was derived, in a great meaſure, from neceſſity, and from a natural deſire of defending that prerogative, which was tranſmitted to him from his anceſtors, and which the parliament was viſibly encroaching on; there is no reaſon, why he may not be eſteemed a very virtuous prince, and entirely worthy of truſt from his people. The attempt, therefore, of totally annihilating monarchical power was a very blameable extreme; eſpecially, as it was attended with the danger, to ſay the leaſt, of a civil war, which, beſides the numberleſs ills attending it, expoſed liberty to much greater perils, than it could have incurred under the now limited authority of the King. But as theſe points could not be ſuppoſed ſo clear during the time as they are, or may be, at preſent; there are great reaſons of alleviation for men, who were heated by the controverſy, and engaged in the action. And it is remarkable, that even at preſent (ſuch is the force of party prejudices) there are few people, who have coolneſs enough to ſee theſe matters in a proper light, or are convinced that the parliament could prudently have ſtopped in their pretenſions. They ſtill plead the violations of liberty attempted by the King after granting the petition of right; without conſidering the extreme harſh treatment, which he met with, after making that great conceſſion, and the impoſſibility of ſupporting the government by the revenue then ſettled on the crown. The worſt of it is, that there was a great tang of enthuſiaſm in the conduct of the parliamentary leaders, which, tho' it might render their conduct ſincere, will not much enhance their character with poſterity. And tho' Hambden was, perhaps, leſs infected with this ſpirit, than many of his aſſociates, he appears not to have been altogether free from it.

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Say, himſelf, as well as his father, a great parliamentary leader, was governor, and commanded a garriſon of two thouſand five hundred foot, and two regiments, one of horſe, another of dragoons. The fortifications not being compleat or regular, it was reſolved by Prince Rupert to ſtorm the city; and next morning, with little other proviſions, ſuitable to ſuch a work, beſides the courage of the troops, the aſſault began. The Corniſh in three diviſions, attacked the weſt ſide, with a reſolution, which nothing but death could controul: But tho' the middle diviſion had already mounted the wall, ſo great was the diſadvantage of the ground, and ſo brave the defence of the garriſon, that in the end the aſſailants were repulſed, with a conſiderable loſs both of officers and ſoldiers. On the Prince's ſide, the aſſault was conducted with equal courage, and almoſt with equal loſs, but with better ſucceſs. One party, led by lord Grandiſon, was beat off, and the commander himſelf mortally wounded: Another, conducted by Colonel Bellaſis, met with a like fate: But Waſhington with a leſs party, finding a place in the curtain weaker than the reſt, broke in, and quickly made room for the horſe to follow. By this irruption however, nothing but the ſuburbs was yet gained: The entrance into the town was ſtill more difficult: And by the loſs already ſuſtained, as well as by the proſpect of farther danger, every one was extremely diſcouraged; when, to the great joy of the whole army, the city beat a parley. The garriſon were allowed to march out with their arms and baggage, leaving their cannon, ammunition and colours. For this inſtance of cowardice, Fiennes was afterwards tried by a court-martial, and condemned to loſe his head; but the ſentence was remitted by the general *.

Briſtol taken. 25th of July.

GREAT complaints were made of violences, exerciſed on the garriſon, contrary to the capitulation. An apology was made, by the royaliſts, as if theſe were a retaliation for ſome violences, committed on their friends at the ſurrender of Reading. And under pretence of like retaliations, but really from the extreme animoſity of the parties, were ſuch irregularities continued during the whole courſe of the war †.

THE loſs, ſuſtained by the royaliſts in the aſſault of Briſtol, was conſiderable. Five hundred excellent ſoldiers periſhed. Among thoſe of condition were Grandiſon, Slanning, Trevannion, and Moyle: Bellaſis, Aſhley, and Sir John Owen, were wounded: Yet was the ſucceſs, upon the whole, ſo conſiderable as mightily elated the courage of the one party, and depreſſed that of the other. The King, to ſhow that he was not intoxicated with good fortune, nor aſpired to a total victory over the parliament, publiſhed a manifeſto, in which he renewed the proteſtation formerly taken, with great ſolemnity, at the head of his army, and expreſſed his firm intention of making peace upon the re-eſtabliſhment of the conſtitution. Hav-

* Ruſhw. vol. vi. p. 284. Clarendon, vol. iii. p. 293, 294, &c. † Clarendon, vol. iii. p. 297.

ing joined the camp at Briſtol, and ſent Prince Maurice with a detachment into Devonſhire, he deliberated how to employ the remaining forces, in an enterprize of importance. Some propoſed, and ſeemingly with great reaſon, to march directly to London; where every thing was in great confuſion, where the army of the parliament was baffled, weakened and diſmayed, and where it was hoped, either by an inſurrection, by victory, or by treaty, a ſpeedy end might be put to the civil diſorders: But this undertaking, by reaſon of the great number and force of the London militia, was thought by many to be attended with conſiderable difficulties. Gloceſter, lying within twenty miles, preſented an eaſier, and yet a very important conqueſt. It was the only remaining garriſon poſſeſſed by the parliament in thoſe parts. Could that city be reduced, the King held the whole courſe of the Severn under his command; the rich and malecontent counties of the weſt, having loſt all protection from their friends, might be enforced to pay high contributions, as an atonement for their diſaffection; an open communication could be preſerved between Wales and theſe new conqueſts; and half of the kingdom, being entirely freed from the enemy, and thus united into one firm body, might be employed in re-eſtabliſhing the King's authority throughout the remainder. Theſe were the reaſons for embracing that reſolution; fatal, as it was ever eſteemed, to the royal party *. Chap. VII. 1643.

THE governor of Gloceſter was one Maſſey, a ſoldier of fortune, who before he engaged with the parliament, had offered his ſervice to the King; and as he was free from the fumes of enthuſiaſm, by which moſt of the officers on that ſide were intoxicated, he would lend an ear, it was preſumed, to propoſals for accommodation. But Maſſey was reſolute to preſerve an intire fidelity to his maſters; and tho' no enthuſiaſt himſelf, he well knew how to employ to advantage that enthuſiaſtic ſpirit, ſo prevalent in his city and garriſon. The ſummons to ſurrender allowed two hours for an anſwer: But before that time expired, there appeared before the King two citizens, with lean, pale, ſharp, and diſmal viſages: Faces, ſo ſtrange and uncouth, according to Lord Clarendon; figures, ſo habited and accoutered; as at once moved the moſt ſevere countenances to mirth, and the moſt cheerful hearts to ſadneſs: It ſeemed impoſſible, that ſuch ambaſſadors could bring leſs than a defiance. The men, without any circumſtance of duty or good manners, in a pert, ſhrill, undiſmayed accent, ſaid, that they brought an anſwer from the godly city of Gloceſter: and extremely ready were they, according to the hiſtorian, to give inſolent and ſeditious replies to any queſtions; as if their buſineſs were chiefly, by provoking the King, to make him violate his own ſafe conduct. The anſwer from the city was in theſe words. "We the inhabitants, magiſtrates, officers and ſoldiers, within the garriſon of Gloceſter, Siege of Gloceſter. 10th of Aug.

* Whitlocke, p. 69. May, book iii. p. 91.

"unto

Chap. VII. 1643. "unto his Majeſty's gracious meſſage, return this humble anſwer: That we do "keep this city, according to our oaths and allegiance, to and for the uſe of his "Majeſty and his royal poſterity: And do accordingly conceive ourſelves wholly "bound to obey the commands of his Majeſty ſignified by both houſes of par- "liament: And are reſolved by God's help to keep this city accordingly *." After theſe preliminaries, the ſiege was reſolutely undertaken by the army, and as reſolutely ſuſtained by the citizens and garriſon.

WHEN intelligence of the ſiege of Gloceſter arrived in London, the conſternation, among the inhabitants, was as great, as if the enemy were already at their gates. The rapid progreſs of the royaliſts threatened the parliament with immediate ſubjection: The factions and diſcontents, among themſelves, in the city, and throughout the neighbouring counties, prognoſticated ſome dangerous diviſion or inſurrection. Thoſe parliamentary leaders, it muſt be owned, who had introduced ſuch mighty innovations into the Engliſh conſtitution, and who had projected ſo much greater, had not engaged in an enterprize, which exceeded their courage and capacity. Great vigour, from the beginning, as well as wiſdom, they had diſplayed in all their councils; and a furious headſtrong body, broke looſe from the reſtraint of law, had hitherto been retained in ſubjection under their authority, and firmly united by zeal and paſſion, as by the moſt legal and eſtabliſhed government. A ſmall committee, on whom the two houſes devolved their power, had directed all their councils, and had preſerved a ſecrecy in deliberation, and a promptitude in execution, beyond what the King, notwithſtanding the advantages poſſeſſed by a ſingle leader, had ever been able to attain. Senſible that no jealouſy was by their partizans entertained againſt them, they had on all occaſions, exerted an authority much more deſpotic, than the royaliſts, even during the preſſing exigencies of war, could with patience endure in their ſovereign. Whoever incurred their diſpleaſure, or was expoſed to their ſuſpicion, was committed to priſon, and proſecuted under the notion of delinquency: After all the old jails were full, many new ones were erected; and even the ſhips were crowded with the royaliſts, both gentry and clergy, who languiſhed below decks, and periſhed in thoſe unhealthy confinements: They impoſed taxes, the heavieſt, and of the moſt unuſual nature, by an ordinance of the two houſes: They voted a commiſſion for ſequeſtration; and they ſeized, where-ever they had power, the revenues of all the King's party †: and knowing that themſelves and all their miniſters, were, by reſiſting the prince, expoſed to the penalties of law, they reſolved, with a ſevere adminiſtration, to overcome theſe terrors, and retain the

* Rushw. vol. vi. p. 287. Clarendon, vol. iii. p. 315. May, book iii. p. 96.

† The King afterwards copied from this example; but as the far greateſt part of the nobility and landed gentry were his friends, he reaped much leſs profit from this meaſure.

people in obedience, by penalties of a more immediate execution. In the beginning of this ſummer, a combination, formed againſt them in London, had obliged them to exert the plenitude of their authority. Chap. VII. 1643.

Edmund Waller, the firſt refiner of Engliſh verſification, was a member of the lower houſe; a man of conſiderable fortune, and not more diſtinguiſhed by his poetical genius, than by his parliamentary talents, and by the politeneſs and elegance of his manners. As full of keen ſatyr and invective in his eloquence, as of tenderneſs and panegyric in his poetry, he caught the attention of his hearers, and exerted the utmoſt boldneſs in blaming thoſe violent councils, by which the commons were governed. Finding all oppoſition within doors to be fruitleſs, he endeavoured to form a party without, which might oblige the parliament to accept of reaſonable conditions, and reſtore peace to the nation. The charms of his converſation, joined to his character of courage and integrity, had procured him the intire confidence of Northumberland, Conway, and every eminent perſon of either ſex who reſided in London. They opened their breaſts to him without reſerve, and expreſſed their diſapprobation of the furious meaſures, purſued by the commons, and their wiſhes, that ſome expedient could be found for ſtopping ſo impetuous a career. Tomkins, Waller's brother-in-law, and Chaloner, the intimate friend of Tomkins, had entertained like ſentiments; and as the connexions of theſe two gentlemen lay chiefly in the city, they informed Waller that the ſame abhorrence of war prevailed there, among all men of reaſon and moderation. Upon reflection, it ſeemed not impracticable, that a combination might be framed between the lords and citizens; and by mutual concert, the illegal taxes be refuſed, which the parliament, without the royal aſſent, impoſed on the people. While this affair was in agitation, and liſts were forming of ſuch as they conceived to be well affected to their deſign; a ſervant of Tomkins, who had overheard their diſcourſe, immediately carried the intelligence to Pym. Waller, Tomkins, and Chaloner were ſeized, and tried by a court-martial *. They were all three condemned, and the two latter executed on gibbets, erected before their own doors. A covenant, as a teſt, was taken † by the lords and commons, and impoſed on their army, and on all who lived within their quarters. Beſides reſolving to amend and reform their lives, the covenanters vow, that they never will lay down their arms, ſo long as the papiſts, now in open war againſt the parliament, ſhall, by force of arms, be protected againſt juſtice; they expreſs their abhorrence of the late conſpiracy; and they promiſe to aſſiſt to the utmoſt the forces, raiſed by both houſes, againſt the forces levied by the King ‡.

Waller, ſo ſoon as impriſoned, ſenſible of the great danger, into which he was fallen, was ſo ſeized with the dread of death, that all his former ſpirit de-

* Ruſhw. vol. vi. p. 326. Clarendon, vol. iii. p. 249, 250, &c.

† 6th of June.

‡ Ruſhw. vol. vi. p. 325. Clarendon, vol. iii. p. 255.

ſerted

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ſerted him; and he confeſſed whatever he knew, without ſparing his moſt intimate friends, without regard to the confidence repoſed in him, without diſtinguiſhing between the negligence of familiar converſation and the ſchemes of a regular conſpiracy. With the moſt profound diſſimulation, he counterfeited ſuch remorſe of conſcience, that his execution was put off, out of mere chriſtian-compaſſion, till he might recover the uſe of his underſtanding. He invited viſits from the ruling clergy of all ſects; and while he expreſſed his own penitence, he received their devout exhortations with humility and reverence, as conveying clearer conviction and information, than in his life he had ever before attained. Preſents too, of which, as well as of flattery, theſe holy men were not inſenſible, were diſtributed among them; as a ſmall retribution for their prayers and ghoſtly counſel. And by all theſe artifices, more than from any regard to the beauty of his genius, of which, during that time of furious cant and faction, ſmall account would be made, he prevailed ſo far as to have his life ſpared, and a fine of ten thouſand pounds accepted in lieu of it *.

THE ſeverity, exerciſed againſt the conſpiracy or rather project of Waller, increaſed the authority of the parliament, and ſeemed to enſure them againſt like attempts for the future. But, by the progreſs of the King's arms, the defeat of Sir William Waller, the taking of Briſtol, the ſiege of Gloceſter, a cry for peace was renewed, and with more violence than ever. Crowds of women, with a petition for that purpoſe, flocked about the houſe, and were ſo clamorous and importunate, that orders were given for diſperſing them; and ſome of the females were killed in the fray †. Bedford, Holland, and Conway, had deſerted the parliament, and had gone to Oxford; Clare and Lovelace had followed them ‡. Northumberland had retired to his country ſeat: Eſſex himſelf ſhowed extreme diſſatisfaction, and exhorted the parliament to make peace §. The upper houſe ſent down terms of accommodation more moderate than had hitherto been inſiſted on. It even paſſed by a majority among the commons, that theſe propoſals ſhould be tranſmitted to the King. The zealots took the alarm. A petition againſt peace was framed in the city and preſented by Pennington, the factious mayor. Multitudes attended him, and renewed all the former menaces againſt the moderate party ‖. The pulpits thundered, and rumours were ſpread of twenty thouſand Iriſh, who had landed, and were to cut the throats of every proteſtant ¶. The majority was again turned to the other ſide; and all thoughts of pacification being laid aſide, every preparation was made for reſiſtance, and for the immediate relief of Gloceſter, on which, the parliament were ſenſible, all their hopes of ſucceſs in the war did ſo much depend.

* Whitlocke, p. 66. Ruſhw. vol. vi. p. 330. Clarendon, vol. iii. p. 253, 254, &c.
† Ruſhw. vol. vi. p. 357. ‡ Whitlocke, p. 67. § Ruſhw. vol. vi. p. 290.
‖ Ruſhw. vol. vi. p. 356. ¶ Clarendon, vol. iii. p. 320. Ruſhw. vol. vi. p. 588.

MASSEY,

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MASSEY, reſolute to make a vigorous defence, and, having under his command a city and garriſon, ambitious of the crown of martyrdom, had hitherto maintained the ſiege with courage and capacity, and had much retarded all the advances of the King's army. By continual ſallies, he infeſted them in their trenches, and gained ſudden advantages over them; by diſputing every inch of ground, he repreſſed the vigour and alacrity of their courage, elated by former ſucceſſes. His garriſon, however, was reduced to the laſt extremity; and he failed not, from time to time, to inform the parliament, that, unleſs ſpeedily relieved, he ſhould be neceſſitated, from the extreme want of proviſions and ammunition, to open his gates to the enemy.

THE parliament, in order to repair their broken condition, and put themſelves in a poſture of defence, now exerted to the utmoſt their power and authority. They voted that an army ſhould be levied under Sir William Waller, whom, notwithſtanding his misfortunes, they loaded with extraordinary careſſes. Having aſſociated in their cauſe, the counties of Hertford, Eſſex, Cambridge, Norfolk, Suffolk, Lincoln, Huntington, they gave the Earl of Mancheſter a commiſſion to be general of the aſſociation, and appointed an army to be levied under his command. But above all, they were intent that Eſſex's army, on which their whole fortune depended, ſhould be put in a condition of marching againſt the King. They afreſh excited their preachers to furious declamations againſt the royal cauſe: They even employed the expedient of preſſing, tho' aboliſhed by a late law, for which they had ſtrenuouſly contended *. And they engaged the city to ſend four regiments of its militia to the relief of Gloceſter. All ſhops, in the mean while, they ordered to be ſhut; and every man expected, with the utmoſt anxiety, the event of that important enterprize †.

ESSEX, carrying with him a well appointed army of 14000 men, took the road of Bedford and Leiceſter; and, tho' inferior in cavalry, yet, by the mere force of conduct and diſcipline, he paſſed over thoſe open champaigne countries, and defended himſelf from the enemies' horſe, who had advanced to meet him, and who infeſted him during his whole march. As he approached to Gloceſter, the King was obliged to raiſe the ſiege, and open the way for Eſſex to enter into that city. The neceſſities of the garriſon were extreme. One barrel of powder was their whole ſtock of ammunition remaining; and their other proviſions were in the ſame proportion. Eſſex had brought with him military ſtores; and the neighbouring country abundantly ſupplied him with victuals of every kind. The inhabitants had carefully concealed all proviſions from the King's army, and pretending to be quite exhauſted, had reſerved their ſtores for that cauſe which they ſo much favoured ‡.

5th of Sept.

* Ruſhw. vol. vi. p. 291. † Id. ibid. ‡ Clarendon, vol. iii. p. 344.

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THE chief difficulty ſtill remained. Eſſex dreaded a battle with the King's army, on account of their great ſuperiority of horſe; and he reſolved to return, if poſſible, without running that hazard. He lay five days at Teukeſbury, which was his firſt ſtage after leaving Gloceſter; and he feigned, by ſome preparations, to point towards Worceſter. By a forced march, during the night, he reached Cirenceſter, and obtained the double advantage, of paſſing unmoleſted an open country, and of ſurprizing a convoy of proviſions, which lay in that town*. Without delay, he proceeded towards London; but when he reached Newbury, he was ſurprized to find that the King, by haſty marches, had arrived before him, and was already poſſeſſed of that place.

20th Sept. Battle of Newbury.

AN action was now unavoidable; and Eſſex prepared for it with preſence of mind, and not without military conduct. On both ſides the battle was fought with deſperate valour and a ſteady bravery. Eſſex's horſe were ſeveral times broke by the King's, but his infantry maintained themſelves in firm array; and beſides giving a continued fire, they preſented an invincible rampart of pikes againſt the furious impulſe of Prince Rupert, and thoſe gallant troops of gentry, of which the royal cavalry was chiefly compoſed. The London militia eſpecially, tho' utterly unacquainted with action, tho' drawn but a few days before from their ordinary occupations, yet having exactly learned all military exerciſes, and being animated with unconquerable zeal for the cauſe, in which they were engaged, equalled, on this occaſion, what could be expected from the moſt veteran forces. While the armies were engaged with the utmoſt ardour, night put an end to the action, and left the event undecided. Next morning, Eſſex proceeded on his march; and tho' his rear was once put into ſome diſorder by an incurſion of the King's horſe, he reached London in ſafety, and received deſerved applauſe for his conduct and ſucceſs in the whole enterprize. The King followed him on his march, and having taken poſſeſſion of Reading, after the Earl left it, he there eſtabliſhed a garriſon; and ſtraitened, by that means, London and the quarters of the enemy †.

IN the battle of Newbury, on the part of the King, beſides the Earls of Sunderland and Carnarvon, two Noblemen of promiſing hopes; was unfortunately ſlain, to the great regret of every lover of ingenuity and virtue throughout the kingdom, Lucius Cary, Lord Viſcount Falkland, ſecretary of ſtate. Before aſſembling the preſent parliament, this man, devoted to the purſuits of learning, and to the ſociety of all the polite and elegant, had enjoyed himſelf in every pleaſure, which a fine genius, a generous diſpoſition, and an opulent fortune could afford. Called into public life, he ſtood foremoſt in all attacks on the exorbitant prerogative of the crown; and diſplayed that maſculine eloquence,

* Ruſhw. vol. vi. p. 292. † Ruſhw. vol. vi. p. 293. Clarendon, vol. iii. p. 347.

and undaunted love of liberty, which from his intimate acquaintance with the sublime spirits of antiquity, he had greedily imbibed. When civil convulsions proceeded to extremity, and it became requisite for him to choose his side; he tempered the ardour of his zeal, and embraced the defence of those limited powers, which remained to monarchy, and which he deemed necessary for the support of the English constitution. Still anxious, however, for his country, he seems to have dreaded the too prosperous success of his own party as much as of the enemy; and, among his intimate friends, often after a deep silence, and frequent sighs, he would, with a sad accent, re-iterate the word, *Peace*. In excuse for the too free exposing of his person, which seemed unsuitable in a secretary of state, he alleged, that it became him to be more active than other men in all hazardous enterprizes, lest his impatience for peace might bear the imputation of cowardice or pusillanimity. From the commencement of the war his natural chearfulness and vivacity became clouded; and even his usual attention to dress, required by his birth and station, gave way to a negligence, which was easily observable. On the morning of the battle, in which he fell, he had shown some care for the adorning his person; and gave for a reason, that the enemy should not find his body in any slovenly, indecent situation. "I am "weary," subjoined he, "of the times, and foresee much misery to my country; "but believe, that I shall be out of it ere night *." This excellent person was but thirty-four years of age, when a period was put to his life. Chap. VII. 1643.

The loss sustained on both sides, in the battle of Newbury, and the advanced season, obliged the armies to retire into winter quarters.

In the north, during this summer, the great interest and popularity of the Earl, now created Marquess of Newcastle, had raised a very considerable force for the King; and great hopes of success were entertained from that quarter. There appeared, however, in opposition to him, two men, on whom the event of the war finally depended, and who began, about this time, to be remarked for their valour and military conduct. These were Sir Thomas Fairfax, son to the lord of that name, and Oliver Cromwell. The former gained a considerable advantage at Wakefield † over a detachment of royalists, and took General Goring prisoner: The latter obtained a victory at Gainsborow ‡ over a party commanded by the gallant Cavendish, who perished in the action. But both these defeats of the royalists were more than sufficiently compensated by the total rout of Lord Fairfax at Atherton moor §, and the dispersion of his whole army. After this victory, Newcastle, with an army of 15000 men, sat down before Hull. Hotham was no longer governor of this place. That gentleman and his son, Actions in the north.

* Whitlocke, p. 70. Clarendon, vol. iii. p. 350, 351, &c. † 21st of May.
‡ 31st of July. § 30th of June.

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partly from a jealouſy of Lord Fairfax, partly repenting of their engagements againſt the King, had entered into a correſpondence with Newcaſtle, and had expreſſed an intention of delivering Hull into his hands. But their conſpiracy being diſcovered, they were arreſted and ſent priſoners to London; where, without any regard to their former ſervices, they fell, both of them, victims to the ſeverity of the parliament *.

NEWCASTLE having carried on the attack of Hull for ſome time, was beat off by a ſally of the garriſon †, and ſuffered ſo much, that he thought proper to raiſe the ſiege. About the ſame time, Mancheſter, who advanced from the eaſtern aſſociated counties, having joined Cromwell and young Fairfax, obtained a conſiderable victory over the royaliſts at Horn-Caſtle; where the two officers laſt mentioned gained great renown for their conduct and gallantry. And tho' fortune had thus balanced her favours, the King's party ſtill remained much ſuperior in thoſe parts of England; and had it not been for the garriſon of Hull, which kept Yorkſhire in awe, a conjunction of the northern forces, with the army in the ſouth, might have been made, and had probably enabled the King, inſtead of entering on the unfortunate, perhaps imprudent, enterprize of Gloceſter, to march directly to London, and put an end to the war ‡.

WHILE the military enterprizes were carried on with vigour in England, and the event became every day more doubtful, both parties caſt their eyes towards the neighbouring kingdoms, and ſought aſſiſtance for the finiſhing that enterprize, in which their own forces experienced ſuch furious oppoſition. The parliament had recourſe to Scotland; the King, to Ireland.

WHEN the Scots covenanters obtained that end for which they ſo earneſtly contended, the eſtabliſhment of preſbyterian diſcipline in their own country, they were not ſatisfied, but indulged ſtill an ardent paſſion of propagating, by all methods, that mode of religion in the neighbouring kingdoms. Having flattered themſelves, in the fervor of their zeal, that, by ſupernatural aſſiſtances, they would be enabled to carry their triumphant covenant to the gates of Rome itſelf, it behoved them firſt to render it prevalent in England, which already ſhowed ſo great a diſpoſition to receive it. Even in the articles of pacification, they expreſſed a deſire of uniformity in worſhip with England; and the King employing general expreſſions, had approved of this inclination, as pious and laudable. No ſooner was there any appearance of a rupture, than the Engliſh parliament, in order to allure that nation into a cloſe confederacy, openly declared their wiſhes of eccleſiaſtical reformation, and of imitating the example of their northern brethren §. When war was actually commenced, the ſame artifices were

* Ruſhw. vol. vi. p. 275. † 12th of October. ‡ Warwick, p. 261. Walker, p. 278.
§ Ruſh.w. vol. vi. p. 390. Clarendon, vol. iii. p. 68.

uſed; and the Scots beheld, with the utmoſt impatience, a ſcene of action of which they could not deem themſelves indifferent ſpectators. Should the King, they ſaid, be able, by force of arms, to prevail over the parliament of England, and re-eſtabliſh his authority in that powerful kingdom, he will undoubtedly retract all thoſe conceſſions, which, with ſo many circumſtances of violence and indignity, the Scots have extorted from him. Beſides a ſenſe of his own intereſt and a regard to royal power, which has been entirely annihilated in this country; his very paſſion for prelacy and for religious ceremonies muſt lead him to invade a church, which he has ever been taught to regard as antichriſtian and unlawful. Let us but conſider who the perſons are that compoſe the factions now ſo furiouſly engaged in arms. Does not the parliament conſiſt of thoſe very men, who have ever oppoſed all war with Scotland, who have puniſhed the authors of our oppreſſions, who have obtained us the redreſs of every grievance, and who, with many honourable expreſſions, have conferred on us an ample reward for our brotherly aſſiſtance? And is not the court full of papiſts, prelates, malignants; all of them zealous enemies to our religious model, and reſolute to ſacrifice their lives for their idolatrous eſtabliſhments? Not to mention our own neceſſary ſecurity; can we better expreſs our gratitude to heaven for that pure light, with which we are, above all nations, ſo eminently diſtinguiſhed, than by conveying the ſame divine knowledge to our unhappy neighbours, who are wading thro' a ſea of blood in order to attain it? Theſe were in Scotland the topics of every converſation: With theſe doctrines the pulpits echoed: And the famous curſe of Meroz, that curſe ſo ſolemnly denounced and re-iterated, againſt neutrality and moderation, reſounded from all quarters *. Chap. VII. 1643.

The parliament of England had ever invited the Scots, from the commencement of the civil diſſentions, to interpoſe their mediation, which, they knew, would be ſo little favourable to the King: And the King, for that very reaſon, had ever endeavoured, with the leaſt offenſive expreſſions, to decline it †. Early this ſpring, the Earl of Loudon, Lord chancellor, with other commiſſioners, and attended by Henderſon, a popular and intriguing preacher, was ſent to the King at Oxford, and renewed the offer of mediation: but with the ſame ſucceſs as before. The commiſſioners were alſo empowered to preſs the King on the article of religion, and to recommend to him the Scots model of eccleſiaſtical worſhip and diſcipline. This was touching Charles in a very tender point: His honour, his conſcience, as well as his intereſt, he believed to be intimately concerned in ſupporting prelacy and the liturgy. He begged the commiſſioners, therefore, to re-

* Curſe ye Meroz, ſaid the angel of the Lord; curſe ye bitterly the inhabitants thereof: becauſe they came not to the help of the Lord, to the help of the Lord againſt the mighty. Judges, chap. v. ver. 23.

† Ruſhw. vol. vi. p. 398.

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Chap. VII. 1643. main satisfied with the concessions which he had made to Scotland; and having modeled their own church according to their own principles, to leave their neighbours in the like liberty, and not to intermeddle with affairs, of which they could not be supposed competent judges *.

THE divines of Oxford, secure, as they imagined, of a victory, by means of their authorities from church history, their citations from the fathers, and their spiritual arguments, desired a conference with Henderson, and undertook, by dint of reasoning, to convert that great apostle of the north: But Henderson, who had ever regarded as impious the least doubt with regard to his own principles, and who knew of a much better way to reduce opponents than the employing any theological topics, absolutely refused all disputation or controversy. The English divines went away, full of admiration at the blind assurance and bigotted prejudices of the man: He, on his part, was moved with equal wonder at their obstinate attachment to such gross errors and delusions.

BY the concessions which the King had granted to Scotland, it became necessary for him to summon a parliament once in three years; and in June of the subsequent year, was fixed the period for the meeting of that assembly. Before that time elapsed, Charles flattered himself, that he should be able, by some decisive advantage, to reduce the English parliament to a reasonable submission, and might then expect with security the meeting of a Scots parliament. Tho' earnestly solicited by Loudon to summon presently that great council of the nation, he absolutely refused to give authority to men, who had already excited such dangerous commotions, and who showed still the same disposition to resist and invade his authority. The commissioners, therefore, not being able to prevail in any of their demands, desired the King's passport for London, where they proposed to confer with the English Parliament †. And being likewise denied this request, they returned with extreme dissatisfaction to Edinburgh.

THE office of conservators of the peace was newly erected in Scotland, in order to maintain the confederacy between the two kingdoms; and these, instigated by the clergy, were resolved, since they could not obtain the King's consent, to summon, in his name, but by their own authority, a convention of estates; and to bereave their sovereign of this article, the only one which remained, of his prerogative. Under colour of providing for national peace, endangered by the neighbourhood of English armies, was a convention called ‡; an assembly, which, tho' it meets with less solemnity, has the same authority as a parliament, in raising money and levying forces. Hamilton, and his brother the Earl of Laneric, who had been sent into Scotland, in order to oppose these measures, wanted either authority or sincerity; and passively yielded to the tor-

* Rushw. vol. vi. p. 462. † Ibid. p. 406. ‡ 22d of June.

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rent. The general aſſembly of the church met at the ſame time, with the convention, and exerciſing an authority almoſt abſolute over the whole civil power, made every political conſideration yield to their theological zeal and prejudices. Chap. VII. 1643.

THE Engliſh parliament were, at that time, fallen into great diſtreſs, by the progreſs of the King's arms; and they gladly ſent to Edinburgh commiſſioners, with ample powers, to treat of a nearer union and confederacy with the Scots nation. The perſons employed were the Earl of Rutland, Sir William Armyne, Sir Henry Vane the younger, Thomas Hatcher and Henry Darley, attended with Marſhal and Nye, two clergymen of ſignal authority *. In this negotiation, the man chiefly truſted to was Vane, who, in eloquence, addreſs, capacity, as well as in art and diſſimulation, was not ſurpaſſed by any one, even during that age, ſo famous for active talents. By his perſuaſion was framed at Edinburgh that SOLEMN LEAGUE AND COVENANT; which effaced all the former proteſtations and vows, taken in both kingdoms; and long maintained its credit and authority. By this covenant, the ſubſcribers, beſides engaging mutually to defend each other againſt all opponents, bound themſelves to endeavour, without reſpect of perſons, the extirpation of popery and prelacy, ſuperſtition, hereſy, ſchiſm, and profaneneſs; to maintain the rights and privileges of parliaments, together with the King's authority; and to diſcover and bring to juſtice all incendiaries and malignants †. Solemn league and covenant.

THE ſubſcribers to the covenant vowed alſo to preſerve the reformed religion eſtabliſhed in the church of Scotland; but by the artifice of Vane no declaration more explicite was made with regard to England and Ireland, than that theſe kingdoms ſhould be reformed, according to the word of God and the example of the pureſt churches. The Scots zealots, when prelacy was abjured, deemed this expreſſion quite free from ambiguity, and regarded their own model as the only one which correſponded, in any degree, to ſuch a deſcription: But that able politician had other views; and while he employed his great talents in over-reaching the preſbyterians, and ſecretly laughed at their ſimplicity, he had blindly devoted himſelf to the maintenance of ſyſtems, ſtill more abſurd and more dangerous.

IN the Engliſh parliament there remained ſome members, who, tho' they had been induced, either by private ambition or by zeal for civil liberty, to concur with the majority, ſtill retained an attachment to the hierarchy and to the antient modes of worſhip. But in the preſent danger, which threatned their cauſe, all ſcruples were laid aſide; and the covenant, by whoſe means alone they could expect to obtain ſo conſiderable a re-inforcement, as the acceſſion of the whole Scots nation, was received without oppoſition. The parliament, therefore, having Sept. 17.

* Whitlocke, p. 73. Ruſhw. vol. vi. p. 466. Clarendon, vol. iii. p. 300. † Ruſhw. vol. vi. p. 478. Clarendon, vol. iii. p. 373.

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ing firſt ſubſcribed it themſelves, ordered it to be received by all who lived under their authority.

GREAT were the rejoicings among the Scots, that they ſhould be the happy inſtruments of extending their mode of religion, and diſſipating that profound darkneſs in which their neighbouring nations were involved. The general aſſembly applauded this glorious imitation of the piety diſplayed by their anceſtors, who, they ſaid, by three different applications, during the reign of Elizabeth, had endeavoured to engage the Engliſh, by perſuaſion, to lay aſide the uſe of the ſurplice, tippet, and corner cap *. The convention too, in the height of their zeal, ordered every one to ſwear to this covenant, under the penalty of confiſcation, beſide what farther puniſhment it ſhould pleaſe the enſuing parliament to inflict on the refuſers, as enemies to God, to the King, and to the kingdom. And being determined that the ſword ſhould carry conviction to all refractory minds, they prepared themſelves, with great vigilance and activity, for their military enterprizes. By means of a hundred thouſand pounds, which they received from England; by the hopes of good pay and warm quarters; not to mention mens favourable diſpoſition towards the cauſe; they ſoon compleated their levies. And having added to their other levies, the troops which they had recalled from Ireland, they were ready, about the end of the year, to enter England, under the command of their old general, the Earl of Leven, with an army of above twenty thouſand men †.

Arming of the Scots.

THE King, foreſeeing this tempeſt which was gathering upon him, endeavoured to ſecure himſelf by every expedient; and he caſt his eye towards Ireland, in hopes, that that kingdom, from which his cauſe had already received ſo much prejudice, might, at laſt, contribute ſomewhat towards his protection and ſecurity.

State of Ireland.

AFTER the commencement of the Iriſh inſurrection, the Engliſh parliament, tho' they undertook the ſuppreſſion of it, had ever been too much engaged, either in military projects or expeditions at home, to take any effectual ſtep towards the finiſhing that enterprize. They had entered indeed into a contract with the Scots, for ſending over an army of ten thouſand men into Ireland; and in order to engage that nation into ſuch an undertaking, beſide the promiſe of pay, they agreed to put Caric-Fergus into their hands, and to inveſt their general with an authority quite independent of the Engliſh government. Theſe troops, ſo long as they were allowed to remain, were uſeful, by diverting the force of the Iriſh rebels, and protecting, in the north, the ſmall remnants of the Britiſh planters. But except this contract with the Scots nation, all the other meaſures of the parliament were hitherto either abſolutely inſignificant, or tended rather to the

* Ruſhw. vol. vi. p. 388. † Clarendon, vol. iii. p. 383.

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prejudice of the proteſtant cauſe in Ireland. By continuing their violent perſecution, and ſtill more violent menaces againſt prieſts and papiſts, they rendered the Iriſh catholics obſtinate in their rebellion, and cut off all hopes of indulgence and toleration. By diſpoſing before-hand of all the Iriſh forfeitures to ſubſcribers or adventurers, they rendered all men of property deſperate, and ſeemed to threaten a total extirpation of the natives. And while they thus infuſed ſpirit and animoſity into the enemy, no meaſure was purſued, which could tend to ſupport or encourage the proteſtants, now reduced to the laſt extremity. Chap. VII. 1643.

So great is the aſcendant, which, from a long courſe of ſucceſſes, the Engliſh has acquired over the Iriſh nation, that tho' the latter, when they receive military diſcipline among foreigners, are not ſurpaſſed by any troops, they have never in their own country, been able to make any vigorous effort for the defence or recovery of their liberties. In many rencounters, the Engliſh, under Lord More, Sir William St. Leger, Sir Frederic Hamilton, and others, had, tho' under great diſadvantages of ſituation and numbers, put the Iriſh to rout, and returned in triumph to Dublin. The rebels raiſed the ſiege of Tredah, after an obſtinate defence made by the garriſon *. Ormond had obtained two complete victories, at Kilruſh and Roſs; and had brought relief to all the forts, which were beſieged or blockaded in different parts of the kingdom †. But notwithſtanding all theſe ſucceſſes, even the moſt common neceſſaries of life were wanting to the victorious armies. The Iriſh in their wild rage againſt the Britiſh planters, had laid waſte the whole kingdom, and were themſelves totally unfit, from their barbarous ſloth and ignorance, to raiſe any convenience of human life. During the courſe of ſix months, no ſupplies had come from England; except the fourth part of one ſmall veſſel's lading. Dublin, to ſave itſelf from ſtarving, had been obliged to ſend the greateſt part of its inhabitants to England. The army had little ammunition, ſcarce exceeding 40 barrels of powder; not even ſhoes or cloaths; and for want of food, the cavalry had been obliged to eat their own horſes. And tho' the diſtreſſes of the Iriſh were not much inferior ‡; beſides that they were more hardened againſt ſuch extremities, it was but a melancholy proſpect, that the two nations, while they continued their furious animoſities, ſhould make deſolate that fertile Iſland, which might ſerve to the ſubſiſtence and happineſs of both.

The juſtices and council of Ireland had been engaged, chiefly by the intereſt and authority of Ormond, to fall into an entire dependance on the King. Parſons, Temple, Loftus, and Meredith, who ſeemed to incline towards the oppoſite party, had been removed; and Charles had ſupplied their place by others better affected to his ſervice. A committee of the Engliſh houſe of commons,

* Ruſhw. vol. vi. p. 506. † Ibid. p. 512. ‡ Ibid. p. 555.

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which had been ſent over to Ireland, in order to conduct the affairs of that kingdom, had been excluded the council, in obedience to orders tranſmitted from the King*. And theſe were reaſons ſufficient, beſides the great difficulties under which they themſelves laboured, why the parliament were unwilling to ſend ſupplies to an army, which, tho' engaged in a cauſe they much favoured, was entirely governed by their declared enemies.

THE King, as he had neither money, arms, ammunition, nor proviſions to ſpare from his own urgent wants, reſolved to embrace an expedient, which might, at once, relieve the neceſſities of the Iriſh proteſtants, and contribute to the advancement of his affairs in England. A ceſſation with the rebels, he thought, would enable his ſubjects in Ireland to provide for their own ſupport, and procure him the aſſiſtance of the army againſt the Engliſh parliament. But as a treaty with a people, ſo odious for their religion and their barbarities, might be repreſented in very invidious colours, and renew all thoſe calumnies with which he had been loaded; it was neceſſary to proceed with great caution in conducting that meaſure. A remonſtrance from the army was made to the Iriſh council repreſenting their intolerable neceſſities, and craving permiſſion to leave the kingdom: And if that was refuſed, *We muſt have recourſe*, they ſaid, *to that firſt and primary law, with which God has endowed all men; we mean the law of nature, which teaches every creature to preſerve itſelf* †. Memorials both to the King and parliament were tranſmitted by the juſtices and council, in which their wants and dangers are ſtrongly ſet forth ‡; and tho' the general expreſſions in theſe memorials might perhaps be ſuſpected of exaggeration, yet from the particular facts mentioned, from the confeſſion of the Engliſh parliament §, and from the very nature of things, it is apparent, that the Iriſh proteſtants were reduced to great extremities ‖; and it became prudent in the King, if not abſolutely neceſſary, to embrace ſome expedient, which might ſecure them, for a time, from the ruin and miſery with which they were threatened.

ACCORDINGLY, the King gave orders to Ormond ¶ and the juſtices to conclude, for a year, a ceſſation with the council of Kilkenny, by whom the Iriſh were governed, and to leave both ſides in poſſeſſion of their preſent advantages. The parliament, whoſe buſineſs it was to find fault with every meaſure adopted by the oppoſite party, and who would not loſe ſo fair an opportunity of reproaching the King with his favour to the Iriſh papiſts, exclaimed loudly againſt this ceſſation.

* Ruſhw. vol. vi. p. 530. Clarendon, vol. iii p. 167. † Ruſhw. vol. vi. p. 537.

‡ Ibid. p. 538. § Ibid. p. 540.

‖ See farther Carte's Ormond, vol. iii. No. 113, 127, 128, 129, 134, 136, 141, 144, 149, 158, 159. All theſe papers put it paſt doubt, that the neceſſities of the Engliſh army in Ireland were extreme. See farther, Ruſhw. vol. vi. p. 537. and Dugdale, p. 853, 854.

¶ 7th of September. See Ruſhw. vol. vi. p. 537, 544, 547.

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Among other reaſons, they inſiſted upon the divine vengeance, which England might juſtly dread for tolerating antichriſtian idolatry, on pretence of civil contracts and political agreements *. Religion tho' every day employed as the engine of their own ambitious purpoſes, was ſuppoſed too ſacred to be yielded up to the temporal intereſts or ſafety of kingdoms. Chap. VII. 1643.

After the ceſſation, there was little neceſſity, as well as no means, of ſubſiſting the army in Ireland. The King ordered Ormond, who was entirely devoted to him, to ſend over conſiderable bodies of it to England. Moſt of them continued in his ſervice: But a ſmall part of them, having imbibed in Ireland a high animoſity againſt the catholics, and hearing the King's party univerſally reproached with popery, ſoon after deſerted to the parliament.

Some Iriſh catholics came over with theſe troops, and joined the King's army, where they continued the ſame cruelties and diſorders, to which they had been accuſtomed †. The parliament voted, that no quarter, in any action, ſhould ever be granted them: But Prince Rupert, by uſing ſome reprizals, ſoon repreſſed this inhumanity ‡.

CHAP VIII.

Invaſion of the Scots.——Battle of Marſton-moor.——Battle of Cropredy-bridge.——Eſſex's forces diſarmed.——Second battle of Newbury.——Riſe and character of the Independents.——Self-denying ordinance.——Fairfax, Cromwel.——Treaty of Uxbridge.——Execution of Laud.—

THE King had hitherto, during the courſe of the war, obtained many advantages over the parliament, and had raiſed himſelf from that low condition, into which he had at firſt fallen, to be nearly upon an equal footing with his adverſaries. Yorkſhire, and all the northern counties, were ſubjected by the Marqueſs of Newcaſtle; and excepting Hull, the parliament was maſter of no garriſon in theſe quarters. In the weſt, Plymouth alone, having been in vain beſieged by Prince Maurice, reſiſted the King's authority: And had it not been for the diſappointment in the enterprize of Gloceſter, the royal garriſons had reached without interruption from one end of the kingdom to the other; and had occupied a greater extent of ground, than thoſe of the parliament. Many of the royaliſts flattered themſelves, that the ſame vigorous ſpirit, which had 1644.

* Ruſhw. vol. vi. p. 557. † Whitlocke, p. 78, 103. ‡ Ruſh. vol. vi. p. 686, 783.

Chap. VIII. 1644. elevated them to the preſent height of power, would ſtill favour their progreſs and obtain them a final victory over their antagoniſts: But thoſe who judged more ſoundly, obſerved, that beſides the acceſſion of the whole Scots nation to the ſide of the parliament, the very principle on which the royal ſucceſſes had been founded, was every day acquired, more and more, by the oppoſite party. The King's troops, full of gentry and nobility, had exerted a valour ſuperior to their enemies, and had hitherto been ſucceſsful in almoſt every rencounter: But in proportion as the whole nation became warlike, by the continuance of civil diſcords, this advantage was more equally ſhared, and ſuperior numbers, it was expected, muſt at laſt obtain the victory. The King's troops alſo, ill paid, and deſtitute of every neceſſary, could not poſſibly be retained in equal diſcipline with the parliamentary forces, to whom all ſupplies were furniſhed from unexhauſted ſtores and treaſures *. The ſeverity of manners, ſo much affected by theſe zealous religioniſts, aſſiſted their military inſtitutions; and the rigid inflexibility of character, by which the auſtere reformers of church and ſtate were diſtinguiſhed, enabled the parliamentary chiefs to reſtrain their ſoldiers within ſtricter rules and more exact order. And while the King's officers indulged themſelves even in greater licences, than thoſe to which, during times of peace, they had been accuſtomed, they were apt both to neglect their military duty, and to ſet a pernicious example of diſorder, to the ſoldiers under their command.

At the commencement of the civil wars, all Engliſhmen, who ſerved abroad, were invited over, and treated with extraordinary reſpect: And moſt of them, being deſcended of good families, and by reaſon of their abſence, unacquainted with the new principles, which depreſſed the dignity of the crown, had inliſted under the royal ſtandard. But it is obſervable, that tho' the military profeſſion requires great genius, and long experience, in the principal commanders, all its ſubordinate duties may be diſcharged by very ordinary talents, and from ſuperficial practice. Citizens and country-gentlemen ſoon became excellent officers; and the generals of greateſt fame and capacity happened, all of them, to ſpring up on the ſide of the parliament. The courtiers and great nobility in the other party, checked the growth of any extraordinary genius among the ſubordinate officers; and every man there, as in a regular eſtabliſhed government, was confined to the ſtation, in which his birth had placed him.

The King, that he might make preparations, during the winter, for the enſuing campaign, ſummoned to Oxford all the members of either houſe, who adhered to his intereſts; and endeavoured to avail himſelf of the name of parliament,

* Ruſhw. vol. vi. p. 560.

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ſo paſſionately cheriſhed by the Engliſh nation *. The houſe of peers was pretty full; and beſides the nobility, employed in different parts of the kingdom, it contained twice as many members as voted at Weſtminſter. The houſe of commons conſiſted of about 140; which amounted not to above half of the other houſe of commons †.

So extremely light had government hitherto lain upon the people, that the very name of *exciſe* was unknown to them; and among the other evils ariſing from theſe domeſtic wars, was the introduction of that impoſt into England. The parliament at Weſtminſter having voted an exciſe on beer, wine and other commodities; thoſe at Oxford imitated the example, and conferred that revenue on the King. And in order to enable him the better to recruit his army, they granted him the ſum of 100,000 pounds, to be levied by way of loan upon the ſubject. The King circulated privy ſeals, counterſigned by the ſpeakers of both houſes requiring the loan of particular ſums, from ſuch perſons as lived within his quarters ‡. Neither party had as yet got above the pedantry of reproaching their antagoniſts with theſe illegal meaſures.

The Weſtminſter parliament paſſed a whimſical ordinance, commanding all the inhabitants of London and the neighbourhood, to retrench a meal a week, and to pay the value of it for the ſupport of the public cauſe §. 'Tis eaſily imagined, that, provided the money was paid, they troubled themſelves very little about the execution of their ordinance.

Such was the King's ſituation, that, in order to reſtore peace to the nation, he had no occaſion to demand any other terms, than to reſtore the laws and conſtitution, to replace him in the ſame rights which had ever been enjoyed by his predeceſſors, and to re-eſtabliſh, on its antient baſis, the whole frame of government, civil as well as eccleſiaſtical. And that he might facilitate an end, ſeemingly ſo deſirable, he offered to employ means equally popular, an univerſal act of oblivion, and a toleration or indulgence to tender conſciences. Nothing therefore could contribute more to his intereſt, than every diſcourſe of peace and every diſcuſſion of the conditions, upon which that bleſſing could be obtained. And for this reaſon, he ſolicited a treaty on all occaſions, and deſired a conference and mutual examination of pretenſions, even when he entertained no hopes, that any concluſion could poſſibly reſult from it.

For like reaſons, the parliament wiſely avoided, as much as they could, all advances towards negotiation, and were cautious not to expoſe too eaſily to cenſure thoſe high terms, which their apprehenſions or their ambition made them previouſly demand of the King. Tho' their partizans were blinded with the

* Ruſhw. vol. vi. p. 559. † Ibid. p. 566, 574, 575. ‡ Ibid. p. 590. § Dugdale, p. 119. Ruſhw. vol. vi. p. 748.

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Chap. VIII. 1644. thickeſt veil of religious prejudices, they dreaded to bring their pretenſions to the teſt, or lay them open before the whole nation. In oppoſition to the ſacred authority of the laws, to the venerable precedents of many ages, they were aſhamed to plead nothing but fears and jealouſies, which were not avowed by the conſtitution, and to which, neither the perſonal character of Charles, ſo full of virtue, nor his condition, ſo deprived of all independent authority, ſeemed to afford any reaſonable foundation. Grievances which had been fully redreſſed; powers, either legal or illegal, which had been intirely abandoned; it ſeemed unpopular, and invidious, and ungrateful, any farther to inſiſt on.

THE King, that he might abate the univerſal veneration, paid to the name of parliament, had iſſued a declaration, in which he ſet forth all the tumults, by which himſelf and his partizans in both houſes, had been driven from London; and he thence inferred, that the aſſembly at Weſtminſter was no longer a free parliament, and, till its liberty was reſtored, was intitled to no authority. As this declaration was an obſtacle to all treaty, ſome contrivance ſeemed requiſite, in order to elude it.

A letter was wrote to the Earl of Eſſex, and ſubſcribed by the Prince, the Duke of York, and forty-three noblemen *. They there exhort him to be an inſtrument for reſtoring peace, and to promote that happy end with thoſe, by whom he was employed. Eſſex, tho' much diſguſted with the parliament, tho' apprehenſive of the extremities to which they were driving, tho' deſirous of any reaſonable peace; yet was ſtill more reſolute to preſerve an honourable fidelity to the truſt repoſed in him. He replied, that as the paper ſent him, neither contained any addreſs to the two houſes of parliament, nor any acknowlegement of their authority, he could not communicate it to them. Like propoſals were reiterated by the King, during the enſuing campaign, and met ſtill with a like anſwer from Eſſex †.

IN order to make another trial for a treaty, the King, this ſpring, ſent a letter directed to the lords and commons of parliament aſſembled at Weſtminſter: But as he alſo mentioned, in the letter, the lords and commons of parliament aſſembled at Oxford, and declared that his ſcope and intention was to make proviſion that all the members of both houſes might ſecurely meet in a full and free convention; the parliament, clearly perceiving the concluſion which was implied, refuſed all treaty upon ſuch terms §. And the King, who knew what ſmall hopes there were of accommodation, would not abandon the pretenſions, which he had aſſumed, nor acknowledge the two houſes, more openly, for a free parliament.

* Clarendon, vol. iii. p. 442. Ruſhw. vol. vi. p. 566. Whitlocke, p. 77. † Clarendon, vol. iii. p. 444. Ruſhw. vol. vi. p. 569, 570. Whitlocke, p. 94. § Clarendon, vol. iii. p. 449. Whitlocke, p. 79.

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THIS winter the famous Pym died; a man as much hated by the one party, as reſpected by the other. At London, he was conſidered as the victim to national liberty, who had abridged his life by inceſſant labours for the intereſt of his country*. At Oxford, he was believed to have been ſtruck with an uncommon diſeaſe, and to have been conſumed with vermine; as a mark of divine vengeance, for his multiplied crimes and treaſons. He had been ſo little ſtudious of improving his private fortune in thoſe civil wars, of which he had been one principal author, that the parliament thought themſelves obliged, out of gratitude, to pay the debts which he had contracted†. We now return to the military operations, which, during the winter, were carried on with vigour in ſeveral places, notwithſtanding the ſeverity of the ſeaſon.

THE forces, brought from Ireland, were landed at Moſtyne in North-Wales; and being put under the command of Lord Biron, they took the caſtles of Hawarden, Beeſton, Acton, and Dedington houſe‡. No place in Cheſhire or the neighbourhood, now adhered to the parliament, except Nantwich: And to this town Biron laid ſiege during the depth of winter. Sir Thomas Fairfax, alarmed at ſo conſiderable a progreſs, aſſembled an army of 4000 men in Yorkſhire, and having joined Sir William Brereton, was approaching to the camp of the royaliſts. Biron and his ſoldiers, elated with ſucceſſes obtained in Ireland, had entertained the moſt profound contempt for the parliamentary forces; a diſpoſition, which, if confined to the army, may be regarded as a good preſage of victory; but if it extend to the general, is the moſt probable forerunner of a defeat. Fairfax ſuddenly attacked the camp of the royaliſts. The ſwelling of the river by a thaw divided one part of the army from the other. That part expoſed to Fairfax, being beat from their poſt, retired into the church of Acton, and were all taken priſoners: The other retreated with precipitation§. And thus was diſſipated or rendered uſeleſs that body of forces, which had been drawn from Ireland; and the parliamentary party revived in thoſe north-weſt counties of England. 25th of Jan.

Invaſion from Scotland.

THE invaſion from Scotland was attended with conſequences of much greater importance. The Scots, having ſummoned in vain the town of Newcaſtle, which was fortified by the vigilance of Sir Thomas Glenham, paſſed the Tyne; and faced the Marqueſs of Newcaſtle, who lay at Durham with an army of 14000 men‖. After ſome military operations, in which that general reduced the enemy to difficulties for forrage and proviſions, he received intelligence of a great diſaſter, which had befallen his forces in Yorkſhire. Colonel Bellaſis, whom he had left with a conſiderable body of troops, was totally routed at Selby, by Sir Tho- 22d of Feb.

* Whitlocke, p. 66. † Journ. 13th of February 1643. ‡ Ruſhw. vol. vi. p. 299.
§ Ibid. p. 301. ‖ Ibid. p. 615.

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Chap. VIII. 1644. 11th of April.

mas Fairfax, who had returned from Cheſhire, with his victorious forces*. Afraid of being encloſed between two armies, Newcaſtle retreated; and Leven having joined Lord Fairfax, they ſat down before York, in which the army of the royaliſts had ſhut themſelves up. But as the Scots and parliamentary forces were not numerous enough to inveſt ſo large a town, divided by a river, they contented themſelves to incommode it by a looſe blockade; and affairs remained, for ſome time, in ſuſpenſe between theſe oppoſite armies †.

DURING this winter and ſpring, other parts of the kingdom had alſo been harraſſed with war. Hopton having aſſembled an army of 14000 men, endeavoured to break into Suſſex, Kent, and the ſouthern aſſociation, which ſeemed well diſpoſed to receive him. Waller fell upon him at Cherington, and gave him a defeat ‡ of conſiderable importance. In another quarter, ſiege being laid to Newark by the parliamentary forces, Prince Rupert prepared himſelf for relieving a town of ſuch conſequence, which alone preſerved the communication open between the King's ſouthern and northern quarters §. With a ſmall force, but that animated by his active courage, he broke thro' the enemy, relieved the town, and totally diſſipated that army of the parliament ‖.

BUT tho' fortune ſeemed to have divided her favours between the parties, the King found himſelf, in the main, a conſiderable loſer by this winter-campaign; and he prognoſticated a ſtill worſe event from the enſuing ſummer. The preparations of the parliament were great, and much exceeded the ſlender reſources, of which he was poſſeſſed. In the eaſtern aſſociation, they levied 14000 men, under the Earl of Mancheſter, ſeconded by Cromwel ¶. An army of ten thouſand men under Eſſex; another of nearly the ſame force under Waller, were aſſembled in the neighbourhood of London. The former was deſtined to oppoſe the King: The latter was appointed to march into the weſt, where Prince Maurice, with a ſmall army which went continually to decay, was ſpending his time in vain before Lyme, an inconſiderable town upon the ſea-coaſt. The utmoſt efforts of the King could not raiſe above ten thouſand men at Oxford; and on their ſword chiefly, during the campaign, were theſe to depend for ſubſiſtance.

THE Queen, terrified with the dangers, which every way environed her, and afraid of being encloſed in Oxford, in the middle of the kingdom, fled to Exeter, where ſhe hoped to be delivered unmoleſted of the child, of which ſhe was now pregnant, and from whence ſhe had the means of an eaſy eſcape into France, if preſſed by the forces of the enemy. She knew the implacable hatred, which the parliament, on account of her religion and her credit with the King, had all along borne her. Laſt ſummer, the commons had ſent up to the peers an impeachment

* Ruſhw. vol. vi. p. 618. † Ibid. p. 620. ‡ 29th of March. § Ruſhw. vol. vi. p. 306. ‖ 21ſt of March. ¶ Ruſhw. vol. vi. p. 621.

of high treaſon againſt her; becauſe, in his utmoſt diſtreſſes, ſhe had aſſiſted her husband with arms and ammunition, which ſhe had bought in Holland *. And had ſhe fallen into their hands, neither her ſex, ſhe knew, nor high ſtation, could protect her againſt inſults at leaſt, if not danger, from thoſe haughty republicans, who ſo little affected to conduct themſelves by the maxims of gallantry and politeneſs. Chap. VIII. 1644.

From the beginning of theſe diſſenſions, the parliament, 'tis remarkable, had, in all things, aſſumed an extreme aſcendant over their ſovereign, and had diſplayed a violence and arrogated an authority, which, on his ſide, could not have been compatible, either with his temper or his ſituation. While he ſpoke perpetually of pardoning all *Rebels*; they talked of nothing but the puniſhment of *Delinquents* and *Malignants*: While he offered a toleration and an indulgence to tender conſciences; they threatened the utter extirpation of prelacy: To his profeſſions of lenity, they oppoſed declarations of rigour: And the more the antient tenour of the laws inculcated a reſpectful ſubordination to the crown, the more careful were they, by their lofty pretenſions, to cover that defect, under which they laboured.

Their great advantages in the north ſeemed to ſecond their ambition, and finally to promiſe them ſucceſs in their unwarrantable enterprizes. Mancheſter, having taken Lincoln, had united his army to thoſe of Leven and Fairfax; and York was now cloſely beſieged by their combined forces. That town, tho' vigorouſly defended by Newcaſtle, was reduced to extremity; and the parliamentary generals, after enduring great loſſes and fatigue, flattered themſelves that all their labours would at laſt be crowned by that important conqueſt. On a ſudden, they were alarmed with the approach of Rupert. That gallant Prince, having vigorouſly exerted himſelf in Lancaſhire and Cheſhire, had collected a conſiderable army; and joining Sir Charles Lucas, who commanded Newcaſtle's horſe, haſtened to the relief of York with an army of 20,000 men. The Scots and parliamentary generals raiſed the ſiege, and drawing up on Marſton-moor, propoſed to give battle to the royaliſts. Prince Rupert approached the town by another quarter, and interpoſing the river Ouſe between him and the enemy, ſafely joined his forces to thoſe of Newcaſtle. The Marqueſs endeavoured to perſuade him, that having ſo ſucceſsfully effected his purpoſe, he ought to be contented with the preſent advantage, and leave the enemy, now much diminiſhed by their loſſes, and diſcouraged by their ill ſucceſs, to diſſolve by thoſe mutual diſſenſions, which had taken place among them †. The Prince, whoſe martial diſpoſition was not ſufficiently tempered with prudence, nor ſoftened by complaiſance, pretending a poſitive order from the King, without deigning to conſult with

* Ruſhw. vol. vi. p. 321.

† Life of the D. of Newcaſtle, p. 40.

Chap. VIII. 1644. 21 of July. Battle of Marſton-moor.

Newcaſtle, whoſe great merit and ſervices deſerved better treatment, immediately gave orders for battle, and drew out the whole army to Marſton-moor * This action was obſtinately diſputed between the moſt numerous armies, which were engaged during the whole courſe of theſe wars; nor were the forces on each ſide much different in their number. Fifty thouſand Britiſh troops were led to mutual ſlaughter; and the victory ſeemed long undecided between them. Rupert, who commanded the right wing of the royaliſts, was oppoſed to Cromwel †, who conducted the choice troops of the parliament, enured to danger under that determined leader, animated by zeal, and confirmed by the moſt rigid diſcipline. After a ſharp combat, the cavalry of the royaliſts gave way; and the infantry, who ſtood next them, were likewiſe borne down, and put to flight. Newcaſtle's regiment alone, reſolute to conquer or to periſh, obſtinately kept their ground, and maintained by their dead bodies, the ſame order, in which they had at firſt been ranged. In the other wing, Sir Thomas Fairfax, and Colonel Lambert, with ſome troops, broke thro' the royaliſts; and tranſported by the fury of purſuit, ſoon reached their victorious friends, engaged alſo in purſuit of the enemy. But after that tempeſt was paſt, Lucas, who commanded the royaliſts in this wing, reſtoring order to his broken forces, made a furious attack on the parliamentary cavalry, threw them into diſorder, puſhed them upon their own infantry, and put that whole wing to rout. When ready to ſeize on their carriages and baggage, he perceived Cromwel, who was now returned from purſuit of the other wing. Both ſides were not a little ſurprized to find that they muſt again renew the combat for that victory, which each of them thought they had already obtained. The front of the battle was now exactly counterchanged, and each army occupied the ground, which had been poſſeſſed by the enemy at the beginning of the day. This ſecond battle was equally furious and deſperate at the firſt: But after the utmoſt efforts of courage by both parties, victory wholly inclined to the ſide of the parliament. The Prince's train of artillery was taken; and his whole army puſhed off the field of battle ‡.

This event was, in itſelf, a mighty blow to the King; but proved much more fatal in its conſequences. The Marqueſs of Newcaſtle was intirely loſt to the royal cauſe. That Nobleman, the ornament of the court and of his order, had been engaged, contrary to the natural bent of his diſpoſition, into theſe military operations, merely by a high ſenſe of honour and a perſonal regard to his maſter. The dangers of war were diſregarded by his valour; but its fatigues were oppreſſive to his natural indolence. Munificent and generous in his expence; polite and elegant in his taſte; courteous and humane in his behaviour;

* Clarendon, vol. v. p. 506. † Ruſhw. part iii. vol. ii. p. 633. ‡ Ruſhw. vol. vi. p. 632. Whitlocke, p. 89.

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he brought a great acceſſion of friends and of credit to the party, which he embraced. But amidſt all the hurry of action, his inclinations were ſecretly drawn to the ſoft arts of peace, in which he took delight; and the charms of poetry, muſic, and converſation ſtole him often from his rougher occupations. He choſe Sir William Davenant, an ingenious poet, his lieutenant-general: The other perſons, in whom he placed confidence, were more the inſtruments of his refined pleaſures, than qualified for the buſineſs which they undertook: And the ſeverity and application, requiſite to the ſupport of diſcipline, were qualities in which he was intirely wanting *. Chap. VII. 1644.

When Prince Rupert, contrary to his advice, reſolved on this battle, and iſſued all orders without communicating his intentions to him; he took the field, but, he ſaid, intirely as a volunteer; and, except by his perſonal courage, which ſhone out with luſtre, he had no ſhare in the action. Enraged to find, that all his ſucceſsful labours were rendered abortive by one act of fatal temerity; terrified with the proſpect of renewing all his pains and fatigue, he reſolved no longer to maintain the few reſources which remained to a deſperate cauſe, and thought, that the ſame regard to honour, which had at firſt called him to arms, now required him to abandon a party, where he met with ſuch unworthy treatment. Next morning early, he ſent word to the Prince, that he was inſtantly to leave the kingdom; and without delay, he went to Scarborough, where he found a veſſel, which carried him beyond ſea. During the enſuing years, till the reſtoration, he lived abroad in great neceſſity, and ſaw with indifference his opulent fortune ſequeſtered by thoſe who aſſumed the government of England. He diſdained, by ſubmiſſion or compoſition, to ſhow obeiſance to their uſurped authority; and the leaſt favourable cenſors of his merit allowed, that the fidelity and ſervices of a whole life, had ſufficiently atoned for one raſh action, into which his paſſion had betrayed him †.

Prince Rupert with equal precipitation drew off the remains of his army, and retired into Lancaſhire. Glenham, in a few days, was obliged to ſurrender York; and he marched out his garriſon with all the honours of war ‡. Lord Fairfax, remaining in the town, eſtabliſhed his government in that whole county, and ſent a thouſand horſe into Lancaſhire, to join with the parliamentary forces in that quarter, and attend the motions of Prince Rupert: The Scots army marched northwards, in order to join the Earl of Calender, who was advancing with ten thouſand additional forces §; and to reduce the town of Newcaſtle, which they took by ſtorm: The Earl of Mancheſter, with Cromwel, to whom the fame of this great victory was chiefly aſcribed, and who was wound- 16th of July.

* Clarendon, vol. v. p. 507, 508, &c. Warwick. † Clarendon, vol. v. p. 511.
‡ Ruſhw. vol. vi. p. 638. § Whitlocke, p. 88.

Chap. VIII. 1644.

ed in the action, returned to the eaſtern aſſociation, in order to recruit his army *.

WHILE theſe events paſſed in the north, the King's affairs in the ſouth were conducted with more ſucceſs and more ability. Ruthven, a Scotſman, who had been created Earl of Brentford, acted, under the King, as general.

THE parliament ſoon compleated their two armies commanded by Eſſex and Waller. The great zeal of the city facilitated this undertaking. Many ſpeeches were made to the citizens, by the parliamentary leaders, in order to excite their ardour. Hollis, in particular, exhorted them not to ſpare, on this important occaſion, either their purſes, their perſons, or their prayers †; and they were ſufficiently liberal, it muſt be confeſſed, in all theſe contributions. The two generals had orders to march with their combined armies towards Oxford; and, if the King ſhut himſelf up in that city, to lay ſiege to it, and by one enterprize to put a period to the war. The King, leaving a numerous garriſon in Oxford, paſſed with dexterity between the two armies, which had taken Abingdon and had encloſed him on both ſides ‡. He marched towards Worceſter; and Waller received orders from Eſſex to follow him and watch his motions; while he himſelf marched into the weſt, in queſt of Prince Maurice. Waller had approached within two miles of the royal camp, and was only ſeparated from it by the Severn, when he received intelligence, that the King was advanced to Beudly, and directed his courſe towards Shrewſbury. In order to prevent him, Waller preſently diſlodged, and haſtened by quick marches to that city: When the King, ſuddenly returning upon his own foot-ſteps, reached Oxford; and having reinforced his army from that garriſon, now in his turn marched out in queſt of Waller.

Battle of Cropredy-bridge.

The two armies faced each other at Cropredy-bridge near Banbury; but the Charwell ran betwixt them. Next day, the King diſlodged and marched towards Daventry. Waller ordered a conſiderable detachment to paſs the bridge, with an intention of falling on the rear of the royaliſts. He was repulſed, routed, and purſued with conſiderable loſs §. Stunned and diſheartened with this blow, his army decayed and melted away by deſertion; and the King thought he might ſafely leave it, and march weſtward againſt Eſſex. That general, having obliged Prince Maurice to raiſe the ſiege of Lyme, having taken Weymouth and Taunton, advanced ſtill in his conqueſts, and met with no equal oppoſition. The King followed him, and having re-inforced his army from all quarters, appeared in the field with an army ſuperior to the enemy. Eſſex, retreating into Cornwall, informed the parliament of his danger, and deſired them to ſend an army, which might fall on the King's rear. General Middleton received a com-

* Ruſhw. vol. vi. p. 641. † Ibid. p. 662. ‡ 3d of June. § Ruſhw. vol. vi. p. 676. Clarendon, vol. v. p. 497. Sir Edw. Walker, p. 31.

miſſion

miſſion to execute that ſervice; but came too late. Eſſex's army cooped up in a narrow corner at Leſtithiel, deprived of all forage and proviſions, and ſeeing no proſpect of ſuccour, was reduced to the laſt extremity. The King preſſed them on one ſide; Prince Maurice on another; Sir Richard Granville on a third. Eſſex, Robarts, and ſome of the principal officers, eſcaped in a boat to Plymouth: Balfour with his horſe paſſed the King's guards, in a thick miſt, and got ſafely to the garriſons of his own party. The foot under Skippon were obliged to ſurrender their arms, artillery, baggage and ammunition; and being conducted to the parliament's quarters, were diſmiſſed. By this advantage, which was much boaſted of, the King, beſides the honour of the enterprize, obtained what he ſtood extremely in need of: The parliament, having preſerved the men, loſt what they could eaſily repair *. Chap. VIII. 1644. 1ſt of Sept. Eſſex's forces diſarmed.

No ſooner did this news reach London, than the committee of the two kingdoms voted thanks to Eſſex for his fidelity, courage, and conduct; and this method of proceeding, no leſs politic than magnanimous, the parliament preſerved thro' the whole courſe of the war. Equally indulgent to their friends and rigorous to their enemies, they employed, with ſucceſs, theſe two powerful engines of reward and puniſhment, in confirmation of their authority.

THAT the King might have leſs reaſon to exult in the advantages, which he had obtained in the weſt, the parliament oppoſed to him very numerous forces. Having armed anew Eſſex's ſubdued, but not diſheartned troops, they ordered Mancheſter and Cromwel to march with their recruited forces from the eaſtern aſſociation; and joining their armies to thoſe of Waller and Middleton, as well as of Eſſex, offer battle to the King. At Newbury, where Charles choſe his poſt, they attacked him with great vigour; and that town was a ſecond time the ſcene of the bloody animoſities of the Engliſh. Eſſex's ſoldiers, exhorting one another to repair their broken honour, and revenge the diſgrace of Leſtithiel, made an impetuous aſſault on the royaliſts; and having recovered ſome of their cannon, loſt in Cornwall, could not forbear embracing them with tears of joy. Tho' the King's troops defended themſelves with great valour, they were overpower'd by numbers; and the night came very ſeaſonably to their relief, and prevented a total overthrow. Charles, leaving his baggage and cannon in Dennington caſtle, near Newbury, forthwith retreated to Wallingford, and from thence to Oxford. There Prince Rupert and the Earl of Northampton joined him, with conſiderable bodies of cavalry. Strengthened by this re-inforcement, he ventured to advance towards the enemy, now employed before Dennington-caſtle †. Eſſex, detained by ſickneſs, had not joined the army, ſince Second battle of Newbury. 27th of Oct.

* Ruſhw. vol. vi. p. 699, &c. Whitlocke, p. 98. Clarendon, vol. v. p. 524, 525. Sir Edw. Walker, p. 69, 70, &c. † Ruſhw. vol. vi. p. 721, &c.

his

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his misfortune in Cornwall. Manchester who commanded, tho' his forces were much superior to those of the King, declined an engagement, and rejected Cromwel's advice, who earnestly pressed him not to neglect so favourable an opportu-
9th of Nov. nity of finishing the war. The King's army by bringing off their cannon from Dennington castle, in the face of the enemy, seemed sufficiently to have repaired the honour, which they had lost at Newbury; and Charles having the satisfaction to excite, between Manchester and Cromwel, equal animosities with those which
23d of Nov. formerly took place between Essex and Waller *, distributed his army into winter-quarters.

THOSE contests among the parliamentary generals, which had disturbed their military operations, were renewed in London during the winter; and each being supported by his own faction, their mutual reproaches and accusations agitated the whole city and parliament. There had long prevailed, in that party, a secret distinction, which, tho' the dread of the King's power had hitherto suppressed it, yet, in proportion as the hopes of success became nearer and more immediate, began to discover itself, with high contest and animosity. The INDEPENDENTS, who had, at first, taken shelter and concealed themselves under the wings of the PRESBYTERIANS, now evidently appeared a distinct party, and betrayed very different views and pretensions. We must here endeavour to explain the genius of this party, and of its leaders, who henceforth occupy the scene of action.

Rise and character of the Independents.

DURING those times, when the enthusiastic spirit met with such honour and encouragement, and was the immediate means of distinction and preferment; it was impossible to set bounds to these holy fervours, or confine within any natural limits, what was directed towards an infinite and a supernatural object. Every man, as prompted by the warmth of his temper, excited by emulation, or supported by his habits of hypocrisy, endeavoured to distinguish himself beyond his fellows, and to arrive at a higher pitch of saintship and perfection. In proportion to its degrees of fanaticism, each sect became dangerous and destructive; and as the independents went a note higher than the presbyterians, they could less be restrained within any bounds of temper and moderation. From this distinction, as from a first principle, were derived, by a necessary consequence, all the other differences of these two sects.

THE independents rejected all ecclesiastical establishments, and would admit of no church courts, no government among pastors, no interposition of the magistrate in spiritual concerns, no fixed encouragement annexed to any system of doctrines or opinions. According to their principles, each congregation, united voluntarily and by spiritual ties, composed, within itself, a separate church, and

* Rushw. vol. vii. p. 1.

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exerciſed a juriſdiction, but one devoid of temporal ſanctions, over its own paſtor and its own members. The election alone of the congregation was ſufficient to beſtow the ſacerdotal character; and as all eſſential diſtinction was denied between the laity and the clergy, no ceremony, no inſtitution, no vocation, no impoſition of hands, was ſuppoſed, as in all other churches, to be requiſite to convey a right to the holy order. The enthuſiaſm of the preſbyterians led them to ſhake off the authority of prelates, to reject the reſtraint of liturgies, to retrench ceremonies, to limit the riches and authority of the prieſtly office: The fanaticiſm of the independents, exalted to a higher pitch, aboliſhed all eccleſiaſtical government, diſdained all creeds and ſyſtems, rejected every ceremony, and confounded each rank and order. The ſoldier, the merchant, the mechanic, indulging the fervors of zeal, and guided by the illapſes of the ſpirit, gave himſelf up to an inward and ſuperior direction, and was conſecrated, in a manner, by an immediate intercourſe and communication with Heaven. Chap. VIII. 1644.

THE catholics, pretending to an infallible guide, had juſtified, upon that principle, their doctrine and practice of perſecution: The preſbyterians, imagining, that ſuch clear and certain tenets, as they themſelves adopted, could be rejected only from a criminal and pertinacious obſtinacy, had hitherto gratified, to the full, their bigotted zeal in a like doctrine and practice: The independents, from the extremity of the ſame zeal, were led into the milder principles of toleration. Their mind, ſet afloat in the wide ſea of inſpiration, could confine itſelf within no certain limits; and the ſame variations, in which an enthuſiaſt indulged himſelf, he was apt, by a natural train of thinking, to permit in others. Of all chriſtian ſects, this was the firſt, which, during its proſperity, as well as its adverſity, always adopted the principle of toleration; and, 'tis remarkable, that ſo reaſonable a doctrine owed its origin, not to reaſoning, but to the height of extravagance and fanaticiſm.

POPERY and prelacy alone, whoſe genius, they thought, tended towards ſuperſtition, the independents were inclined to treat with rigour. The doctrines too of fate or deſtiny, they were apt to deem eſſential to all religion. In theſe rigid opinions, the whole ſectaries, amidſt all their other differences, unanimouſly concurred.

THE political ſyſtem of the independents kept pace with their religious. Not contented with confining, to very narrow limits, the power of their ſovereign, and reducing the King to the rank of firſt magiſtrate; which was the project of the preſbyterians; this ſect, more ardent in the purſuit of liberty, aſpired to a total abolition of the monarchy, and even of the ariſtocracy; and projected an intire equality of rank and order, in a republic, quite free and independent.

Chap. VIII. 1644. dependent. In conſequence of this ſcheme, they were declared enemies to all propoſals for peace, except on ſuch terms as, they knew, it was impoſſible to obtain; and they adhered to that maxim, which is, in the main, prudent and political, that whoever draws the ſword againſt his ſovereign, ſhould throw away the ſcabbard. By terrifying others with the fear of vengeance from the injured Prince, they had engaged greater numbers into the oppoſition againſt peace, than had adopted their other principles with regard to government and religion. And the great ſucceſs, which had already attended the arms of the parliament, and the greater, which was ſoon expected, confirmed them ſtill further in this obſtinacy.

Sir Harry Vane, Oliver Cromwel, Nathaniel Fiennes, and Oliver St. John, the ſollicitor-general, were regarded as the leaders of the independents. The Earl of Eſſex, diſguſted with a war, of which he began to foreſee the pernicious conſequences, adhered to the preſbyterians, and promoted every reaſonable plan of accommodation. The Earl of Northumberland, fond of his rank and dignity, regarded with horror a ſcheme, which, if it took place, would confound himſelf and his family with the loweſt in the kingdom. The Earls of Warwic, and Denbigh, Sir Philip Stapleton, Sir William Waller, Hollis, Maſſey, Whitelocke, Mainard, Glyn, had embraced the ſame ſentiments. In the parliament, a conſiderable majority, and a much greater in the nation, were attached to the preſbyterian party; and it was only by cunning and deceit at firſt, and afterwards by violence, that the independents could entertain any hopes of ſucceſs.

The Earl of Mancheſter, provoked at the violent impeachment, which the King had lodged againſt him, had long forwarded the war with great alacrity; but, being a man of humanity and good principles, the view of public calamities, and the proſpect of a total ſubverſion of government, began to moderate his ardour, and inclined him to promote peace on any ſafe or honourable terms. He was even ſuſpected, in the field, not to have puſhed to the utmoſt againſt the King the advantages, obtained by the arms of the parliament; and Cromwel, in the public debates, revived the accuſation, that he had wilfully neglected at Dennington-caſtle a favourable opportunity of finiſhing the war by a total defeat of the royaliſts. "I ſhowed him evidently," ſaid Cromwel, "how this ſucceſs might "be obtained; and only deſired leave, with my own brigade of horſe, to "charge the King's army in their retreat; leaving it in the Earl's choice, if he "thought proper, to remain neuter with the reſt of his forces: But, notwith-"ſtanding all my importunity, he poſitively and obſtinately refuſed his conſent; "and gave no other reaſon but that, if we met with a defeat, there was an end

"of

" of our pretenſions: We ſhould all be rebels and traitors, and be executed and " forfeited by the law *." Chap. VIII. 1644.

MANCHESTER, by way of recrimination, informed the parliament, that at another time, Cromwel having propoſed ſome ſcheme, which it ſeemed improbable the parliament would agree to, he inſiſted and ſaid, *My Lord, if you will ſtick firm to honeſt men, you ſhall find yourſelf at the head of an army, which will give law both to king and parliament.* " This diſcourſe," continued Mancheſter, " made the greater impreſſion on me, becauſe I knew the lieutenant-general to " be a man of very deep deſigns; and he has even ventured to tell me, that it " never would be well with England till I was Mr. Montague, and there was " ne'er a lord or peer in the kingdom †." So full was Cromwel of theſe republican projects, that notwithſtanding his habits of profound hypocriſy, he could not ſo carefully guard his expreſſions, but that ſometimes his favourite notions would eſcape him.

THESE violent diſſenſions brought matters to extremity, and puſhed the independents to the execution of their deſigns. The preſent generals, they thought, were more deſirous of protracting than finiſhing the war; and having entertained a ſcheme for preſerving ſtill ſome balance in the conſtitution, they were afraid of intirely ſubduing the King, and reducing him to a condition, where he ſhould be intitled to aſk no conceſſions. A new model alone of the army would bring complete victory to the parliament, and free the nation from thoſe calamities, under which it laboured. But how to effect this project was the difficulty. The authority, as well as merits of Eſſex, was very great with the parliament. Not only he had ſerved them all along with the moſt exact and ſcrupulous honour. It was, in ſome meaſure, to be aſcribed to his popularity, that they had ever been enabled to levy an army or make head againſt the royal cauſe. Mancheſter, Warwic, and the other commanders had likewiſe great credit with the public; nor were there any hopes of prevailing over them, but by laying the plan of an oblique and artificial attack, which would conceal the real purpoſe of their antagoniſts. The Scots nation and Scots commiſſioners, jealous of the progreſs of the independents, were a new obſtacle; which, without the utmoſt art and ſubtlety, it would be difficult to ſurmount ‡. The methods by which this intrigue was conducted, are ſo ſingular, and mark ſo well the genius of the age, that we ſhall give a detail of them, as they are delivered by Lord Clarendon §.

A FAST, on the laſt Wedneſday of every month, had been ordered by the parliament at the beginning of theſe commotions; and their preachers, on that day, kept alive, by their vehement declamations, the popular prejudices entertained againſt the King, againſt prelacy, and againſt popery. The King, that

* Clarendon, vol. v. p. 561. † Ibid. p. 562. ‡ Id. ibid. § Ibid. p. 565, &c.

Chap. VIII. 1644. he might combat the parliament with their own weapons, appointed likewiſe a monthly faſt, where the people ſhould be inſtructed in the duties of loyalty and of ſubmiſſion to the higher powers; and he choſe the ſecond Friday of every month for the devotion of the royaliſts *. It was now propoſed and carried in parliament, by the independents, that a new and more ſolemn faſt ſhould be voted; when they ſhould implore the divine aſſiſtance for extricating them from thoſe perplexties, in which they were at preſent involved. On that day, the preachers, after many political prayers, took care to treat of the reigning diviſions in the parliament, and aſcribed them intirely to the ſelfiſh ends, purſued by the members. In the hands of thoſe members, they ſaid, are lodged all the conſiderable commands of the army, all the profitable offices in the civil adminiſtration: And while the nation is falling every day into poverty, and groans under an inſupportable load of taxes; theſe men multiply poſſeſſions on poſſeſſions, and will, in a little time, be maſters of all the riches in the kingdom. That ſuch perſons, who fatten in the calamities of their country, will ever embrace any effectual meaſure for bringing them to a period, or enſuring a final ſucceſs to the war, cannot reaſonably be expected. Lingering expedients alone will be purſued: And operations in the field concurring, in the ſame pernicious end, with deliberations of the cabinet; civil commotions will, for ever, be perpetuated in the nation. After exaggerating theſe diſorders the miniſters fell again to their prayers; and beſought the Lord that he would take his own work into his own hand; and if the inſtruments, whom he had hitherto employed, were not worthy to bring to a concluſion ſo glorious a deſign, that he would inſpire others more fit, who might perfect what was begun, and by eſtabliſhing true religion, put a ſpeedy period to the public miſeries.

On the day ſubſequent to theſe devout animadverſions, when the parliament met, a new ſpirit appeared in the looks of many. Sir Henry Vane told the commons, That, if ever God appeared to them, it was in the holy ordinances of yeſterday: That, as he was credibly informed by many, who had been auditors in different congregations, the ſame lamentations and diſcourſes, which the godly preachers had made before them had been heard in other churches: That ſo remarkable a concurrence could proceed only from the immediate operation of the Holy Spirit: That he therefore beſought them, in vindication of their own honour, in conſideration of their duty to God and their country, to lay aſide all private ends, and renounce every office, attended with profit or advantage: That the abſence of ſo many members, occupied in different employments, had rendered the houſe extremely thin, and diminiſhed the authority of their determinations: And that

* Ruſhw. vol. vi. p. 364.

he could not forbear, for his own part, the accuſing himſelf as one who enjoyed a gainful office, that of treaſurer of the navy; and tho' he was poſſeſſed of it before the civil commotions, and owed it not to the favour of the parliament, yet was he ready to reſign it, and to ſacrifice, to the welfare of his country, every conſideration of private intereſt and advantage. Chap. VIII. 1644.

Cromwel acted next his part, and commended the preachers for having dealt with them plainly and impartially, and told them of their errors, of which they were ſo unwilling to be inſtructed. Tho' they dwelt on many things, he ſaid, on which he had never before reflected: yet, upon revolving them, he could not but confeſs, that, till there was a perfect reformation in theſe particulars, nothing which they undertook could poſſibly proſper. The parliament, no doubt, continued he, had done wiſely in the commencement of the war, to engage ſeveral of their members in the moſt dangerous parts of it, and thereby to ſatisfy the nation, that they intended to ſhare all hazards with the meaneſt of the people. But affairs are now changed. During the progreſs of military operations, there have ariſen, in the parliamentary armies, many excellent officers, who are qualified for higher commands than they are now poſſeſſed of. And tho' it becomes not men, engaged in ſuch a cauſe, *to put truſt in the arm of fleſh*, yet he could aſſure them, that their troops contained generals, fit to command in any enterprize in Chriſtendom. The army indeed, he was ſorry to ſay, did not correſpond, by its diſcipline, to the merit of the officers; nor were there any hopes, till the preſent vices and diſorders, which prevail among the ſoldiers, were repreſſed by a new model, that their forces would ever be attended with ſignal ſucceſs in any undertaking.

In oppoſition to this reaſoning of the independents, many of the preſbyterians ſhowed the inconvenience and dangers of the projected alteration. Whitelocke, in particular, a man of honour, who loved his country, tho' in every change of government, he always adhered to the ruling power, ſaid, That, beſides the ingratitude of diſcarding, and that by fraud and ſubtilty, ſo many noble perſons, to whom the parliament had hitherto owed its chief ſupport; they would find it extremely difficult to ſupply the place of men, now formed by experience to command and authority: That the rank alone, poſſeſſed by ſuch as were members of either houſe, prevented envy, retained the army in obedience, and gave weight to military orders: That greater confidence might ſafely be repoſed in men of family and fortune, than in mere adventurers, who would be apt to entertain ſeparate views from thoſe embraced by the perſons, who employed them: That no maxim of policy was more undiſputed, than the neceſſity of preſerving an inſeparable connection between the civil and military powers, and of retaining the latter in ſtrict ſubordination to the former: That the Greeks and Romans, the wiſeſt and moſt paſſionate lovers of liberty, had ever entruſted to their ſenators, the com-

Chap. VIII. 1644.

command of armies, and had maintained an unconquerable jealouſy of all mercenary forces: And that thoſe alone whoſe intereſt was involved in that of the public, and who poſſeſſed a vote in the civil deliberations, would ſufficiently reſpect the authority of parliament, and never could be tempted to turn the ſword againſt thoſe, by whom it was committed to them *.

Self-denying ordinance.

NOTWITHSTANDING theſe reaſonings, a committee was choſen to frame what they called the *Self-denying Ordinance*, by which the members of both houſes were excluded from all civil and military employments, except a few offices which were ſpecified. This ordinance was the ſubject of great debate, and for a long time, rent the whole parliament and city into factions. But, at laſt, by the prevalence of envy with ſome; with others, of falſe modeſty; with a great many, of the republican and independent views; it paſſed the houſe of commons, and was ſent to the upper houſe. The peers, tho' the ſcheme was, in part, levelled againſt their order; tho' all of them were, at bottom, extremely averſe to it; poſſeſſed ſo little authority, that they durſt not oppoſe the reſolution of the commons; and they thought it better policy, by an unlimited compliance, to ward off that ruin, which they ſaw approaching †. The ordinance, therefore, having paſſed both houſes, Eſſex, Warwic, Mancheſter, Denbigh, Waller, Brereton, and many others, reſigned their commands, and received the thanks of parliament for their good ſervices. A penſion of ten thouſand pounds a year was ſettled on Eſſex.

1645.

IT was agreed to recruit the army to 22,000 men; and Sir Thomas Fairfax was appointed general ‡. 'Tis remarkable, that his commiſſion did not run, like that of Eſſex, in the name of the king and parliament, but in that of the parliament alone: And the article of the ſafety of the king's perſon was omitted. So much had the animoſities increaſed between the parties §. Cromwel, being a member of the lower houſe, ſhould have been diſcarded with the others; but this impartiality would have diſappointed all the views of thoſe, who had introduced the ſelf-denying ordinance. He was ſaved by a ſubtilty, and by that political craft, in which he was ſo eminent. At the time, when the other officers reſigned their commiſſions, care was taken, that he ſhould be ſent with a body of horſe, in order to relieve Taunton, beſieged by the royaliſts. His abſence being remarked, orders were diſpatched for his immediate attendance in parliament; and the new general was directed to employ ſome other officer in that ſervice. A ready compliance was feigned; and the very day was named, on which, it was averred, he would take his place in the houſe. But Fairfax, having appointed a rendezvous of the army, wrote to the parliament, and deſired

* Whitlocke, p. 114, 115. Ruſhw. vol. vii. p. 6.
† Ruſhw. vol. vii. p. 8, 15.
‡ Whitlocke, p. 118. Ruſhw. vol. vii. p. 7.
§ Whitlocke, p. 133.

leave to retain, for ſome days, Lieutenant-general Cromwel, whoſe advice, he ſaid, would be uſeful, in ſupplying the place of thoſe officers, who had reſigned. Shortly after, he begged, with much earneſtneſs, that they would allow Cromwel to ſerve that campaign *. And thus the independents, tho' the minority, prevailed by art and cunning over the preſbyterians, and beſtowed the whole military authority, in appearance, upon Fairfax; in reality, upon Cromwel. Chap. VIII. 1645.

Fairfax was a perſon equally eminent for courage and for humanity; and tho' ſtrongly infected with the prejudices or principles, derived from religious and party zeal, he ſeems never, in the courſe of his public conduct, to have been ſeduced, by private intereſt or ambition, from adhering ſtrictly to theſe principles. Sincere in his profeſſions; diſintereſted in his views; open in his conduct; he had formed one of the moſt ſhining characters of that age; had not the extreme narrowneſs of his genius, in every thing but in war, and his embarraſſed and confuſed elocution, on every occaſion but when he gave orders, diminiſhed the luſtre of his merit, and rendered the part, which he acted, even when inveſted with the ſupreme command, but ſecondary and ſubordinate. Fairfax.

Cromwel, by whoſe ſagacity and inſinuation Fairfax was intirely governed, is one of the moſt eminent and moſt ſingular perſonages, which occurs in hiſtory: The ſtrokes of his character are as open and ſtrongly marked, as the ſchemes of his conduct were, during the time, dark and impenetrable. His extenſive capacity enabled him to form the moſt enlarged projects: His enterprizing genius was not diſmayed with the boldeſt and moſt dangerous. Carried, by his natural temper, to magnanimity, to grandeur, and to an imperious and domineering policy; he yet knew, when neceſſary, to employ the moſt profound diſſimulation, the moſt oblique and refined artifice, the ſemblance of the greateſt moderation and ſimplicity. A friend to juſtice, tho' his public conduct was one continued violation of it; devoted to religion, tho' he perpetually employed it as the inſtrument of his ambition; he was engaged in crimes from the proſpect of ſovereign power, a temptation, which is, in general, irreſiſtible to human nature. And by uſing well that authority, which he attained by fraud and violence, he has leſſened, if not overpowered, our deteſtation of his enormities, by our admiration of his ſucceſs and of his genius. Cromwel.

During this important tranſaction of the ſelf-denying ordinance, the negotiations for peace were likewiſe carried on, tho' with ſmall hopes of ſucceſs. The King having ſent two meſſages, one from Eveſham †, another from Taviſtoke ‡, deſiring a treaty, the parliament diſpatched commiſſioners to Oxford, with pro- Treaty of Uxbridge.

* Clarendon, vol. v. p. 629, 630. Whitlocke, p. 141. † 4th of July, 1644.
‡ 8th of Sept. 1654.

poſals,

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poſals, as high as if they had obtained a complete victory *. The advantages gained during the campaign, and the great diſtreſſes of the royaliſts, had much elevated their hopes; and they were reſolved to repoſe no truſt in men, enflamed with the higheſt animoſity againſt them, and who, were they poſſeſſed of power, were fully authorized by law to puniſh all their opponents as rebels and as traitors.

THE King, when he conſidered the propoſals and the diſpoſition of the parliament, could not expect any accommodation, and had no proſpect but of war, or of total ſubmiſſion and ſubjection: Yet, in order to ſatisfy his own party, who were extremely impatient for peace, he agreed to ſend the Duke of Richmond and Earl of Southampton, with an anſwer to the parliament's propoſals, and at the ſame time to deſire a treaty upon their mutual demands and pretenſions †. It now became neceſſary for him to retract his former declaration, that the two houſes at Weſtminſter were not a free parliament; and accordingly, he was induced, tho' with great reluctance, to give them, in his anſwer the appellation of the parliament of England ‡. But it appeared afterwards, by a letter, which he wrote to the Queen, and of which a copy was taken at the battle of Naſeby, that he ſecretly entered an explanatory proteſtation in his council-book; and he pretended, tho' he had *called* them the parliament, that he had not thereby *acknowledged* them for ſuch §. This ſubtlety, which has been frequently objected to Charles, is the moſt noted of thoſe very few inſtances, from which the enemies of this Prince have endeavoured to load him with the imputation of inſincerity; and have inferred that the parliament could repoſe no confidence in his profeſſions and declarations, not even in his laws and ſtatutes. There is, however, it muſt be confeſſed, a difference univerſally avowed between ſimply giving to men the appellation, which they aſſume, and the ſolemn acknowledgment of their title to it; tho' it had perhaps been better, had the King, in ſuch delicate tranſactions between him and his people, kept at the wideſt diſtance from ſuch ſuſpicious diſtinctions.

h of Jan.

THE time and place of treaty were agreed on, and accordingly ſixteen commiſſioners from the King met at Uxbridge with twelve authorized by the parliament, attended with the Scots commiſſioners. It was agreed that the Scots

* Dugdale, p. 737. Ruſhw. vol. vi. p. 850. † Whitlocke, p. 110. ‡ Ibid. p. 111. Dugdale, p. 748.

§ His words are, "As for my calling thoſe at London a Parliament, I ſhall refer thee to Digby "for particular ſatisfaction; this in general: If there had been but two beſides myſelf of my opi- "nion, I had not done it; and the argument that prevailed with me was, that the calling did no- "wiſe acknowledge them to be a parliament; upon which condition and conſtruction I did it, and "no otherwiſe; and accordingly is it regiſter'd in the council books, with the council's unanimous "approbation." *The King's Cabinet opened.* Ruſhw. vol. vi. p. 943.

and

and parliamentary commiſſioners ſhould give in their demands with regard to three important articles, *Religion*, the *Militia*, and *Ireland*; and that theſe ſhould be ſucceſſively examined and diſcuſſed in conferences with the King's commiſſioners *. It was ſoon found totally impracticable to come to any agreement with regard to any of theſe articles. Chap. VIII. 1645.

In the ſummer 1643, while the negotiations were carried on with Scotland, the parliament had ſummoned an aſſembly at Weſtminſter, compoſed of 121 divines and 30 laymen, celebrated in their party for piety and learning. By their advice, alterations were made in the thirty-nine articles, or in the metaphyſical doctrines of the church; and what was of greater importance, the liturgy was intirely aboliſhed, and in its place, a new directory for worſhip was eſtabliſhed; by which, ſuitable to the ſpirit of the puritans, the utmoſt liberty, both in praying and preaching, was indulged to the public teachers. By the ſolemn league and covenant, epiſcopacy was abjured, as deſtructive of all true piety; and a national engagement, attended with every circumſtance which could render a promiſe ſacred and obligatory, was entered into with the Scots, never to ſuffer its re-admiſſion. All theſe meaſures ſhowed little ſpirit of accommodation in the parliament; and the King's commiſſioners were not ſurprized to find the eſtabliſhment of preſbytery and the directory poſitively demanded, together with the ſubſcription to the covenant, both by the King and kingdom †.

Had

* Whitlocke, p. 121. Dugdale, p. 758.

† Such love of contradiction prevailed in the parliament, that they had converted Chriſtmas, which with the churchmen, was a great feſtival, into a ſolemn faſt and humiliation; "In order," as they ſaid, "that it might call to remembrance our ſins and the ſins of our forefathers, who, pretending "to celebrate the memory of Chriſt, have turned this feaſt into an extreme forgetfulneſs of him, by "giving liberty to carnal and ſenſual delights." Ruſhw. vol. vi. p. 817. 'Tis remarkable, that, as the parliament aboliſhed all holy-days, and ſeverely prohibited all amuſement on the Sabbath; and even burned, by the hands of the hangman, the King's book of ſports; the nation found, that there was no time left for relaxation or diverſion. Upon application, therefore, of the ſervants and apprentices, the parliament appointed the ſecond Tueſday of every month for play and recreation. Ruſhw. vol. vii. p. 460. Whitlocke, p. 247. But theſe inſtitutions, they found great difficulty to execute; and the people were reſolved to be merry when they pleaſed, not when the parliament ſhould preſcribe to them. The keeping of Chriſtmas holy-days was long a great mark of malignancy, and very ſeverely cenſured by the commons. Whitlocke, p. 286. Even minced pyes, which cuſtom had made a Chriſtmas diſh among the churchmen, was regarded, during that ſeaſon, as a profane and ſuperſtitious viand by the ſectaries; tho' at other times it agreed very well with their ſtomachs. In the parliamentary ordinance too, for the obſervance of the Sabbath, they inſerted a clauſe for the taking down of May-poles, which they called a heatheniſh vanity. Since we are upon this ſubject, it may not be amiſs to mention, that, beſide, ſetting apart Sunday for the ordinances, as they called them, the Godly had regular meetings on the Thurſdays for reſolving caſes of conſcience, and conferring about their progreſs in grace. What they were chiefly anxious about, was the fixing the preciſe moment of their converſion or new birth; and whoever could not aſcertain ſo difficult a point of calculation,

Chap. VIII. 1645. HAD Charles been of a diſpoſition to neglect all theological controverſy; he yet had been obliged, in good policy, to adhere to epiſcopal juriſdiction, not only becauſe it was favourable to monarchy, but becauſe all his adherents were paſſionately devoted to it; and to abandon them, in what they regarded as ſo important an article, was for ever to relinquiſh their friendſhip and aſſiſtance. But Charles had never attained ſuch enlarged principles. He eſteemed biſhops eſſential to the very being of a chriſtian church; and he thought himſelf bound, by more ſacred ties, than thoſe of policy, or even of honour to the ſupport of that order. His conceſſions therefore, on this head, he judged ſufficient, when he agreed, That an indulgence ſhould be given to tender conſciences with regard to ceremonies; that the biſhops ſhould exerciſe no act of juriſdiction or ordination, without the conſent and council of ſuch preſbyters as ſhould be choſen by the clergy of each dioceſe; that they ſhould reſide conſtantly in their dioceſe, and be bound to preach every Sunday; that pluralities be aboliſhed; that abuſes in eccleſiaſtical courts be redreſſed; and that a hundred thouſand pounds be levied from the biſhops eſtates and the chapter lands, for payment of debts contracted by the parliament *. Theſe conceſſions, tho' conſiderable, gave no ſatisfaction to the parliamentary commiſſioners; and, without abating any thing of their rigour on this head they proceeded to their demands with regard to the militia.

THE King's partizans had all along maintained, that the fears and jealouſies of the parliament, after the ſecurities ſo early and eaſily given to public liberty, were either feigned or groundleſs; and that no human inſtitution could be better poized and adjuſted, than was now the government of England. By the abolition of the ſtar-chamber and court of high commiſſion, the prerogative, they ſaid, has loſt all that coercive power, by which it had formerly ſuppreſſed or endangered liberty: By the eſtabliſhment of triennial parliaments, it can have no leiſure to acquire new powers, or guard itſelf, during any time, from the inſpection of that vigilant aſſembly: By the ſlender revenue of the crown, no king can ever attain ſuch influence as to procure a repeal of theſe ſalutary ſtatutes: And while the prince commands no mercenary forces, he will in vain, by violence, attempt an infringement of laws, ſo clearly defined by means of late diſputes, and ſo paſſionately cheriſhed by all his ſubjects. In this ſituation ſurely, the nation, governed by ſo virtuous a monarch, may, for the preſent,

culation, could not pretend any title to ſaintſhip. The profane ſcholars at Oxford, after the parliament became maſters of that town, gave to the houſe, in which the zealots aſſembled, the denomination of *Scruple-ſhop*: The zealots, in their turn, inſulted the ſcholars and profeſſors; and, intruding into the place of lectures, declaimed againſt human learning, and challenged the moſt knowing of them to prove that their calling was from Chriſt. See Wood's Faſti Oxonienſes, p. 740.

* Dugdale, p. 779, 780.

remain

remain in tranquillity, and try, whether it be not poſſible, by peaceful arts, to elude that danger, with which, it is pretended, its liberties are ſtill threatened. Chap. VIII. 1645.

But tho' the royaliſts inſiſted on theſe plauſible topics, before the commencement of the war, they were obliged to own, that the progreſs of civil commotions had ſomewhat abated the force and evidence of this reaſoning. If the power of the militia, ſaid the oppoſite party, be entruſted to the King, it were not now difficult for him to abuſe that authority. By the rage of inteſtine diſcord, his partizans are enflamed into an extreme hatred againſt their antagoniſts; and have contracted, no doubt, ſome prejudices againſt popular privileges, which, in their apprehenſion, have been the ſource of ſo much miſchief. Were the arms of the ſtate, therefore, put entirely into ſuch hands; what public ſecurity, it may be demanded, can be given to liberty; or what private ſecurity to thoſe, who, in oppoſition to the letter of the law, have ſo generouſly ventured their lives in its defence? In compliance with this apprehenſion, Charles offered, that the arms of the ſtate ſhould be entruſted, during three years, to twenty commiſſioners, who ſhould be named, either by common agreement between him and the parliament, or the one half by him, the other by the parliament. And, after the expiration of that term, he inſiſted that his conſtitutional authority over the militia ſhould again return to him *.

The parliamentary commiſſioners at firſt demanded, that the power of the ſword ſhould for ever be entruſted to ſuch perſons as the parliament alone ſhould appoint †: But afterwards, they relaxed ſo far, as to require that authority only for ſeven years; after which, it was not to return to the king, but to be ſettled by bill, or by common agreement between him and his parliament ‡. The King's commiſſioners aſked, whether jealouſies and fears were all on one ſide? and whether the prince, from ſuch violent attempts and pretenſions as he had experienced, had not, at leaſt, equal reaſon to apprehend for his authority, as they for their liberty? Whether there was any equity, in ſecuring only one party, and leaving the other, during the courſe of ſeven years, entirely at the mercy of their enemies? Whether, if unlimited power was entruſted to the parliament during ſo long a period, it would not be eaſy for them to frame the ſubſequent bill in the manner moſt agreeable to themſelves, and keep for ever poſſeſſion of the ſword, as well as of every article of civil power and juriſdiction §?

The truth is, after the commencement of the war, it was very difficult, if not impoſſible, to find ſecurity for both parties, eſpecially for that of the parliament. Amidſt ſuch violent animoſities, power alone could enſure ſafety; and the power of one ſide was neceſſarily attended with the danger of the other. Few or no inſtances occur in hiſtory of an equal, peaceful and durable accommodation,

* Dugdale, p. 798. † Ibid. p. 791. ‡ Ibid. p. 820. § Ibid p. 877.

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that has been concluded between two factions, which have been inflamed into civil war.

WITH regard to Ireland, there were no greater hopes of agreement between the parties. The parliament demanded, That the ceſſation with the rebels ſhould be declared null; that the management of the war ſhould be given over entirely to the parliament; and that after the conqueſt of Ireland, the nomination of the Lord lieutenant and of the judges, or in other words, the ſovereignty of that kingdom ſhould likewiſe remain in their hands *.

WHAT rendered a peaceful accommodation ſtill more deſperate: The demands on theſe three heads, however exorbitant, were acknowleged, by the parliamentary commiſſioners, to be nothing but preliminaries. Were all theſe granted they ſtill reſerved the power of reviving thoſe other demands, ſtill more exorbitant, which, a little before had been tranſmitted to the King at Oxford. Such ignominious terms were there inſiſted on, as worſe could ſcarcely be demanded, were Charles totally vanquiſhed, a priſoner, and in chains. The King was required to attaint and exempt from a general pardon, forty of the moſt conſiderable of his Engliſh ſubjects, and nineteen of his Scots, together with all popiſh recuſants in both kingdoms, who had borne arms for him. It was inſiſted, that forty-eight more, with all members who had ſat in either houſe at Oxford, all lawyers and divines who had embraced the King's party, ſhould be rendered incapable of any office, be forbid the exerciſe of their profeſſion, be prohibited from coming within the verge of the court, and forfeit the third of their eſtates to the parliament. It was required, that whoever had borne arms for the King, ſhould forfeit the tenth part of their eſtates, or if that did not ſuffice, the ſixth, for the payment of public debts. As if the royal authority were not ſufficiently annihilated by ſuch terms, it was demanded, that the court of wards ſhould be aboliſhed; that all the conſiderable officers of the crown, and all the judges ſhould be appointed by parliament; and that the right of peace and war ſhould not be exerciſed without the conſent of that aſſembly †. The preſbyterians, it muſt be confeſſed, after inſiſting on ſuch conditions, differed only in words, from the independents, who required the eſtabliſhment of a pure republic. When the debates had been carried on to no purpoſe during twenty days, among the commiſſioners, they ſeparated, and returned; thoſe of the King, to Oxford, thoſe of the parliament to London.

Execution of Laud.

A little before the commencement of this fruitleſs treaty, a deed was executed by the parliament, which proved their determined reſolution to yield nothing, but to proceed in the ſame violent and imperious manner, with which they had, at

* Dugdale, p. 826, 827. † Ruſhw. vol. vi. p. 850. Dugdale, p. 737.

firſt, entered on theſe dangerous enterprizes. Archbiſhop Laud, the moſt favoured miniſter of the King, was brought to the ſcaffold; and in this inſtance, the public might ſee, that popular aſſemblies, as by their very number, they are, in a great meaſure, exempt from the reſtraint of ſhame, ſo, when they alſo overleap the bounds of law, naturally break out into acts of the greateſt tyranny and injuſtice.

From the time, that Laud had been committed, the houſe of commons, engaged in enterprizes of greater moment, had found no leiſure to finiſh his impeachment; and he had patiently endured ſo long an impriſonment, without being brought to any trial. After the union with Scotland, the bigotted prejudices of that nation revived the like ſpirit in England; and the ſectaries reſolved to gratify their vengeance in the puniſhment of this prelate, who had ſo long, by his authority, and by the execution of penal laws, kept their zealous ſpirit under confinement. He was accuſed of high treaſon, in endeavouring to ſubvert the fundamental laws, and of other high crimes and miſdemeanours. The ſame illegality of an accumulative crime and a conſtructive evidence, which appeared in the caſe of Strafford; the ſame violence and iniquity in conducting the trial, are conſpicuous thro' the whole courſe of this proſecution. The groundleſs charge of popery, which was belied by his whole life and conduct, was continually urged againſt the priſoner; and every error rendered unpardonable by this imputation, which was ſuppoſed to imply the height of all enormities. "This man, my "lords," ſaid ſerjeant Wilde, concluding his long ſpeech againſt him, "is like "Naaman the Syrian, a great man, but a leper *.

We ſhall not enter into a detail of this matter, which at preſent, ſeems to admit of ſo little controverſy. It ſuffices to ſay, that after a long trial, and the examination of above a hundred and fifty witneſſes, the commons found ſo little likelihood of obtaining a judicial ſentence againſt Laud, that they were obliged to have recourſe to their legiſlative authority, and to paſs an ordinance for taking away the life of this aged prelate. Notwithſtanding the low condition, into which the houſe of peers were fallen, there appeared ſome intention of rejecting this ordinance; and the popular leaders were again obliged to apply to the multitude, and to extinguiſh, by threats of new tumults, the ſmall remains of liberty, poſſeſſed by the upper houſe. Seven peers alone voted in this important queſtion. The reſt, either from ſhame or fear, took care to abſent themſelves †.

Laud, who had behaved during his trial with great ſpirit and vigour of genius, ſunk not under the horrors of his execution; but tho' he uſually profeſſed himſelf apprehenſive of a violent death, he found all his fears to diſſipate before that ſuperior courage, by which he was animated. "No one," ſaid he, "can be

* Ruſhw. vol. vi. p. 830. † Warwick, p. 169.

Chap. VIII. 1645. "more willing to ſend me out of life, than I am deſirous to go." Even upon the ſcaffold, and during the intervals of his prayers, he was harraſſed and moleſted by Sir John Clotworthy, a zealot of the reigning ſect, and a great leader in the lower houſe: This was the time he choſe for examining the principles of the dying primate, and trepaning him into a confeſſion, that he truſted, for his ſalvation, to the merits of good works, not to the death of the Redeemer *. Having extricated himſelf from theſe theological toils, the Archbiſhop laid his head on the block; and it was ſevered from the body by one blow †. Thoſe theological opinions, for which he ſuffered, contributed, no doubt, to the courage and conſtancy of his end. Sincere, he undoubtedly was, and however miſguided, actuated by religious motives in all his purſuits; and it is to be regreted that a man of ſuch ſpirit, who conducted his enterprizes with ſo much warmth and induſtry had not entertained more enlarged views, and embraced principles more favourable to the general happineſs of ſociety.

THE great and important advantage, which the party gained by Strafford's death, may in ſome degree, palliate the iniquity of the ſentence pronounced againſt him: But the execution of this old infirm prelate, who had ſo long remained an inoffenſive priſoner, can be aſcribed to nothing but vengeance and bigotry in thoſe ſevere religioniſts, by whom the parliament was intirely governed. That he deſerved a better fate was not queſtioned by any reaſonable man: The degree of his merit was, in other reſpects, much diſputed. Some accuſed him of recommending ſlaviſh doctrines, of promoting perſecution, and of encouraging ſuperſtition; while others thought, that his conduct, in theſe three particulars, would admit of apology and extenuation.

THAT the *letter* of the law, as much as the moſt flaming court-ſermon, inculcates paſſive obedience, is very apparent: And tho' the *ſpirit* of a limited government ſeems to require, in extraordinary caſes, ſome mitigation of ſo rigorous a doctrine; it muſt be confeſſed, that the preceding genius of the Engliſh conſtitution had rendered a miſtake in this particular very natural and excuſable. To inflict death, at leaſt on thoſe who depart from the exact line, of truth in theſe nice queſtions, ſo far from being favourable to national liberty, ſavours ſtrongly of the ſpirit of tyranny and proſcription.

TOLERATION had hitherto been ſo little the principle of any chriſtian ſect, that even the catholics, the remnant of the religion profeſſed by their anceſtors, could not obtain from the Engliſh the leaſt indulgence. This very houſe of commons, in their famous remonſtrance, took care to juſtify themſelves, as from the higheſt imputation, of any intention to relax the golden reins of diſcipline, as they called them, or grant any toleration ‡: And the enemies of the church

* Ruſhw. vol. vi. p. 838, 839. † 12th of July. ‡ Nalſon, vol. ii. p. 705.

were

were ſo fair, from the beginning, as not to lay claim to liberty of conſcience, which they called a toleration for ſoul murder. They openly challenged the ſuperiority, and even menaced the eſtabliſhed church with that perſecution, which they afterwards exerciſed againſt it with ſuch ſeverity. And if the queſtion be conſidered in the view of policy; tho' a ſect, already formed and advanced, may, with good reaſon, demand a toleration; what title had the puritans to this indulgence, who were juſt on the point of ſeparation from the church, and whom, it might be hoped, ſome wholſome and legal ſeverities would ſtill retain in their obedience to it*?

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WHATEVER ridicule, to a philoſophical mind, may be thrown on pious ceremonies, it muſt be confeſſed, that, during a very religious age, no inſtitution can be more advantageous to the rude multitude, and tend more to mollify that fierce and gloomy ſpirit of devotion, to which they are ſubject. Even the Engliſh church, tho' it had retained a ſhare of popiſh ceremonies, may juſtly be thought too naked and unadorned, and ſtill to approach too near the abſtract and ſpiritual religion of the puritans. Laud and his aſſociates, by reviving a few primitive inſtitutions of this nature, corrected the error of the firſt reformers, and preſented, to the affrightened and aſtoniſhed mind, ſome ſenſible exterior obſervances, which might occupy it during its religious exerciſes, and abate the violence of its diſappointed efforts. The thought, no longer bent on that divine and myſterious Eſſence, ſo ſuperior to the narrow capacities of mankind, was able, by means of the new model of devotion, to relax itſelf in the contemplation of pictures, poſtures, veſtments, buildings; and all the fine arts, which miniſtred to religion, thereby received additional encouragement. The primate, 'tis true, conducted this ſcheme, not with the enlarged ſentiments and cool diſpoſition of a legiſlator, but with the intemperate zeal of a ſectary; and by over-

* That Laud's ſeverity was not extreme, appears from this fact, that he cauſed the acts or records of the high commiſſion-court to be ſearched, and found that there had been fewer ſuſpenſions, deprivations, and other puniſhments, by three, during the ſeven years of his time, than in any ſeven years of his predeceſſor Abbot; who was notwithſtanding in great eſteem with the houſe of commons. *Troubles and trials of Laud*, p. 164. But Abbot was little attached to the court, and was alſo a puritan in doctrine, and bore a mortal hatred to the papiſts. Not to mention, that the mutinous ſpirit was riſing higher in the time of Laud, and would leſs bear controul. The maxims, however, of his adminiſtration were the ſame which had ever prevailed in England, and which had place in every other European nation, except Holland, which ſtudied chiefly the intereſts of commerce; and France, which was fetter'd by edicts and treaties. To have changed them for the modern maxims of toleration, however reaſonable, would have been deemed a very bold and dangerous enterprize. It is a principle, advanced by Preſident Monteſquieu, that, where the magiſtrate is ſatisfied with the eſtabliſhed Religion, he ought to repreſs the firſt attempts towards innovation, and only grant a toleration to ſects that are diffus'd and eſtabliſhed. See *L' Eſprit des Loix*, liv. xxv. chap. 10. According to this principle, Laud's indulgence to the catholics and ſeverity to the puritans, would admit of apology. I own, however, that it is very queſtionable, whether perſecution can in any caſe be juſtified.

looking

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looking the circumſtances of the times, ſerved rather to inflame that religious fury, which he meant to repreſs. But this blemiſh is more to be regarded as a general imputation on the whole age, than any particular failing of Laud; and 'tis ſufficient for his vindication to obſerve, that his errors were the moſt excuſable of all thoſe which prevailed during that zealous period.

CHAP. IX.

Montroſe's victories.——The new model of the army.——Battle of Naſeby. Surrender of Briſtol.——The weſt conquered by Fairfax.——Defeat of Montroſe.——Eccleſiaſtical affairs.——King goes to the Scots at Newark.——End of the war.——King delivered up by the Scots.

WHILE the King's affairs declined in England, ſome events happened in Scotland, which ſeemed to promiſe him a more proſperous iſſue of the quarrel.

Montroſe's victories.

BEFORE the commencement of theſe civil diſorders, the Earl of Montroſe, a young Nobleman of a diſtinguiſhed family, returning from his travels, had been introduced to the King, and had made an offer of his ſervices; but by the inſinuations of the Marqueſs, afterwards Duke of Hamilton, who poſſeſſed much of Charles's confidence, he had not been received with that diſtinction, to which he thought himſelf juſtly intitled *. Diſguſted with this treatment, he had forwarded all the violence of the covenanters; and agreeable to the natural ardour of his genius, he had employed himſelf, during the firſt inſurrection, with great zeal as well as ſucceſs, in levying and conducting their armies. Being commiſſioned by the *Tables* to wait upon the King, while the royal army lay at Berwick, he was ſo won upon by the civilities and careſſes of that monarch, that he thenceforth devoted himſelf intirely, tho' ſecretly, to his ſervice, and entered into a cloſe correſpondence with him. In the ſecond Scottiſh inſurrection, a great military command was entruſted to him by the covenanters; and he was the firſt who paſſed the Tweed, at the head of their troops, in the invaſion of England. He found means, however, ſoon after to convey a letter to the King: And by the infidelity of ſome about that Prince; Hamilton, as was by ſome ſuſpected; a copy of

* Nalſon. Intr. p. 63.

this

this letter was ſent to Leven the Scots general. Being accuſed of treachery and a correſpondence with the enemy, Montroſe openly avowed the letter; and aſked the generals, if they dared to call their ſovereign an enemy: And by this bold and magnanimous behaviour, he eſcaped the danger of an immediate proſecution. As he was now fully known to be of the royal party, he no longer concealed his principles; and he endeavoured to draw thoſe, who had entertained like ſentiments into a bond of aſſociation for his maſter's ſervice. Tho' thrown into priſon for this enterprize *, and detained ſome time, he was not diſcouraged; but ſtill continued by his countenance and protection, to infuſe ſpirit into the diſtreſſed royaliſts. Among other perſons of diſtinction, who united themſelves to him, was the Lord Napier of Merchiſton, ſon to the famous inventor of the logarithms, the perſon to whom the title of a GREAT MAN is more juſtly due, than to any other whom his country ever produced. Chap. IX. 1645.

THERE was in Scotland another party, who, profeſſing equal attachment to the King's ſervice, pretended only to differ with Montroſe about the means of attaining the ſame end; and of this party, Duke Hamilton was the leader. That Nobleman had cauſe to be extremely devoted to the King, not only by reaſon of the connexion of blood, which united him to the royal family; but on account of the great confidence and favour, with which he had ever been honoured by his maſter. Being accuſed by Lord Rae, not without ſome appearance or probability, of a conſpiracy againſt the King; Charles was ſo far from harbouring ſuſpicion againſt him, that the very firſt time Hamilton came to court, he received him into his bed-chamber, and paſſed alone the night with him †. But ſuch was the Duke's unhappy fate or conduct, that he eſcaped not the imputation of treachery to his friend and ſovereign; and tho' he at laſt ſacrificed his life in the King's ſervice, his integrity and ſincerity have not been thought by hiſtorians entirely free from blemiſh. Perhaps, (and this is the moſt probable opinion) the ſubtilties and refinements of his conduct and his temporizing maxims, tho' accompanied with good intentions, have been the chief cauſe of a ſuſpicion, which has never yet been either fully proved or refuted. As much as the bold and vivid ſpirit of Montroſe prompted him to enterprizing meaſures, as much was the cautious temper of Hamilton inclined to ſuch as were moderate and dilatory. While the former foretold, that the Scots covenanters were ſecretly forming an union with the Engliſh parliament, and inculcated the neceſſity of preventing them by ſome vigorous undertaking; the latter ſtill inſiſted, that every ſuch at-

* It is not improper to take notice of a miſtake committed by Clarendon, much to the diſadvantage of this gallant Nobleman; that he offered the King, when his Majeſty was in Scotland, to aſſaſſinate Argyle. All the time the King was in Scotland, Montroſe was confined to priſon. Ruſhw. vol. vi. p. 980.

† Nalſon, vol. ii. p. 683.

tempt

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tempt would precipitate them into meaſures, to which otherwiſe, they were not, perhaps inclined. After the Scots parliament was ſummoned without the King's authority, the former exclaimed, that their intentions were now viſible, and that if ſome unexpected blow was not ſtruck, to diſſipate them, they would arm the whole nation againſt the King; the latter maintained the poſſibility of out-voting the diſaffected party, and ſecuring, by peaceful means, the allegiance of the Scots nation *. Unhappily for the royal cauſe, Hamilton's repreſentations met with more credit from the King and Queen, than thoſe of Montroſe; and the covenanters were allowed, without interruption, to proceed in all their hoſtile meaſures. Montroſe then haſtened to Oxford; where his invectives againſt Hamilton's treachery, concurring with the general prepoſſeſſion, and ſupported by the unfortunate event of his councils, were entertained with univerſal approbation. Influenced by the clamour of his party, more than his own ſuſpicions, Charles, ſo ſoon as Hamilton appeared, ſent him priſoner to Pendennis caſtle in Cornwall. His brother, Laneric, who was alſo put under confinement, found means to make his eſcape, and fly into Scotland.

THE King's ears were now open to Montroſe's councils, who propoſed none but the boldeſt and moſt daring, agreeable to the deſperate ſtate of the royal cauſe in Scotland. Tho' the whole nation, was occupied by the covenanters, tho' great armies were kept on foot by them, and every place guarded by a vigilant adminiſtration; he undertook, by his own credit, and that of the few friends, who remained to the King, to raiſe ſuch commotions, as would ſoon oblige the male-contents to recal thoſe forces, which had ſo ſenſibly thrown the balance in favour of the parliament †. Not diſcouraged with the defeat of Marſton moor, which rendered it impoſſible for him to draw any ſuccour from England; he was contented to ſtipulate with the Earl of Antrim, a nobleman of Ireland, for ſome ſupply of men from that country. And he himſelf, changing his diſguiſes and paſſing thro' many dangers, arrived in Scotland; where he lay concealed in the borders of the Highlands, and ſecretly prepared the minds of his partizans for the attempting ſome great enterprize ‡.

No ſooner were the Iriſh landed, tho' not exceeding eleven hundred foot, very ill armed, than Montroſe declared himſelf, and entered upon that ſcene of action, which has rendered his name ſo celebrated. About eight hundred of the men of Athole flocked to his ſtandard. Five hundred men more, who had been levied by the covenanters, were perſuaded to embrace the royal cauſe: And with this combined force, he haſtened to attack Lord Elcho, who lay at Perth with an army of 6000 men, aſſembled upon the firſt news of the Iriſh invaſion.

* Clarendon, vol. iii. p. 380, 381. Ruſhw. vol. vi. p. 980. Wiſhart, cap. ii. † Wiſhart, cap. iii. ‡ Clarendon, vol. v. p. 618. Ruſhw. vol. vi. p. 982. Wiſhart, cap. iv.

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Montroſe, inferior in number, totally unprovided of horſe, ill ſupplied with arms and ammunition, had nothing to depend on but the courage, which he himſelf, by his own example and the rapidity of his enterprizes, ſhould inſpire into his raw ſoldiers. Having received the fire of the enemy, which was anſwered chiefly with a volley of ſtones, he ruſhed amidſt them with his ſword drawn, threw them into confuſion, puſhed his advantage, and obtained a complete victory, with the ſlaughter of two thouſand of the covenanters *.

This victory, tho' it augmented the renown of Montroſe, increaſed not his power nor numbers. The far greater part of the kingdom were extremely attached to the covenant; and ſuch as bore an affection to the royal cauſe, were terrified by the eſtabliſhed authority of the oppoſite party. Dreading the ſuperior power of Argyle, who, having joined his vaſſals to a force levied by the public, was approaching with a conſiderable army; Montroſe haſtened northwards, in order to rouze again the Marqueſs of Huntley and the Gordons, who having before haſtily taken arms, had been inſtantly ſuppreſſed by the covenanters. He was joined on his march by the Earl of Airly, with his two younger ſons, Sir Thomas and Sir David Ogilvy: The eldeſt was, at that time, a priſoner with the enemy. He attacked at Aberdeen the Lord Burley, who commanded a force of 2500 men. After a ſharp combat, by his undaunted courage, which, in his ſituation, was true policy, and was alſo not unaccompanied with military ſkill, he put the enemy to flight, and in the purſuit did great execution upon them †.

But by this ſecond advantage, he obtained not the end, which he propoſed. The envious nature of Huntley, jealous of Montroſe's glory, rendered him averſe to join an army, where he himſelf muſt be ſo much eclipſed by the ſuperior merit of the general. Argyle, reinforced by the Earl of Lothian, was behind him with a great army: The militia of the northern counties, Murray, Roſs, Caithneſs, to the number of 5000, oppoſed him in front, and guarded the banks of the Spey, a deep and rapid river. In order to elude theſe numerous armies, he turned aſide into the hills, and ſaved his weak, but active troops, in Badenoch. After ſome marches and counter-marches, Argyle came up with him at Faivy-caſtle. This Nobleman's character, tho' celebrated for political courage and conduct, was very low for military proweſs; and after ſome ſkirmiſhes, in which he was worſted, he here allowed Montroſe to eſcape him. By quick marches, thro' theſe inacceſſible mountains, that general freed himſelf from the ſuperior forces of the covenanters.

Such was the ſituation of Montroſe, that very good or very ill fortune was equally deſtructive to him, and diminiſhed his army. After every victory, his ſoldiers, greedy of ſpoil, but deeming the ſmalleſt acquiſition to be unexhauſt-

* 1ſt of September 1644. Ruſhw. vol. vi. p. 983. Wiſhart, cap. v.

† 11th of September 1644. Ruſhw. vol. vi. p. 983. Wiſhart, cap. vi.

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Chap. IX. 1645. ed riches, deſerted in great numbers, and went home to ſecure the treaſures, which they had acquired. Tired too, and ſpent with haſty and long marches, in the depth of winter, thro' ſnowy mountains, unprovided of every neceſſary, they fell off, and left their general almoſt alone with the Iriſh, who, having no place to which they could retire, ſtill adhered to him in every fortune.

WITH theſe, and ſome reinforcement of the Athole-men, and Macdonalds whom he had recalled, Montroſe fell ſuddenly upon Argyle's country, and let looſe upon it the whole rage of war; carrying off the cattle, burning the houſes, and putting the inhabitants to the ſword. This ſeverity, by which Montroſe ſullied his victories, was the reſult of private animoſity againſt the chieftain, as much as of zeal for the public cauſe. Argyle, collecting three thouſand men, marched in queſt of the enemy, who had retired with their plunder; and he lay at Innerlochy, ſuppoſing himſelf ſtill at a conſiderable diſtance from them. The Earl of Seaforth, at the head of the garriſon of Inverneſs, who were veteran ſoldiers, joined to 5000 new levied troops of the northern counties, preſſed the royaliſts on the other ſide, and threatened them with inevitable deſtruction: By a quick and unexpected march, Montroſe haſtened to Innerlochy, and preſented himſelf in order of battle, before the ſurprized, but not affrighted, covenanters. Argyle alone, ſeized with a panic, deſerted his army, who ſtill maintained their ground, and gave battle to the royaliſts. After a vigorous reſiſtance, they were defeated, and purſued with great ſlaughter *. And the power of the Campbels (that is Argyle's name) being thus broke; the highlanders, who were in general well-affected to the royal cauſe, began to join Montroſe's camp, in great numbers. Seaforth's army diſperſed of itſelf, at the very terror of his name. And the Lord Gordon, eldeſt ſon to Huntley, having eſcaped from his uncle Argyle, who had hitherto detained him, now joined Montroſe, with no contemptible number of his followers, attended by his brother the Earl of Aboine.

2d of Feb.

THE council at Edinburgh, alarmed at Montroſe's progreſs, began to think of a more regular plan of defence, againſt an enemy, whoſe repeated victories had rendered him extremely formidable. They ſent for Baillie, an officer of reputation, from England; and joining him in command with Urrey, who had again inliſted himſelf among the King's enemies, they ſent them to the field, with a conſiderable army, againſt the royaliſts. Montroſe, with a detachment of 800 men, had attacked Dundee, a town extremely zealous for the covenant: And having carried it by aſſault, had delivered it up to be plundered by his ſoldiers; when Baillie and Urrey, with their whole force, were unexpectedly upon him †. His conduct and preſence of mind, in this emergence, appeared conſpicuous. Inſtantly he called off his ſoldiers from plunder, put them in order, ſecured his

* Ruſhw. vol. vi. p. 985. Wiſhart, cap. viii.

† Ruſhw. vol. vii. p. 228. Wiſhart, cap. ix.

retreat

retreat by the moſt ſkilful meaſures; and having marched ſixty miles in the face of an enemy much ſuperior, without ſtopping, or allowing his ſoldiers the leaſt ſleep or refreſhment, he at laſt ſecured himſelf in the mountains. Chap. IX. 1645.

Baillie and Urrey now divided their troops, in order the better to conduct the war againſt an enemy, who ſurprized them, as much by the rapidity of his marches, as by the boldneſs of his enterprizes. Urrey, at the head of 4000 men, met him at Alderne, near Inverneſs; and, encouraged by the ſuperiority of number, (for the covenanters were double the royaliſts) attacked him in the poſt which he had choſen. Montroſe having placed his right wing in very ſtrong ground, drew the beſt of his forces to the other, and left no main body between them; a defect which he artfully concealed, by ſhowing a few men thro' the trees and buſhes with which that ground was covered. That Urrey might have no leiſure to perceive the ſtratagem, he inſtantly led his left wing to the attack; and, making a furious impreſſion upon the covenanters, drove them off the field, and obtained a complete victory *. In this battle, the valour of young Napier, ſon to the Lord of that name, ſhone out with ſignal luſtre.

Baillie now advanced, in order to revenge Urrey's diſcomfiture; but, at Alford, he met himſelf with a like fate †. Montroſe, weak in cavalry, lined his troops of horſe with infantry; and after putting the enemies horſe to rout, fell with united force upon their infantry, which were intirely cut in pieces, tho' with the loſs of the gallant Lord Gordon on the part of the royaliſts ‡. And having thus prevailed in ſo many battles, which his vigour ever rendered as deciſive as they were ſucceſsful; he ſummoned together all his friends and confederates, and prepared himſelf for marching into the ſouthern provinces, in order to put a total period to the power of the covenanters, and diſſipate the parliament, which, with great pomp and ſolemnity, they had aſſembled at St. Johnſton's.

While the fire was thus kindled in the north of the iſland, it blazed out with no leſs fury in the ſouth; and the parliamentary and royal armies, as ſoon as the ſeaſon would permit, prepared to take the field, in hopes of bringing their important quarrel to a quick deciſion. The paſſing the ſelf-denying ordinance had been protracted by ſo many debates and intrigues, that the ſpring was far advanced before it received the ſanction of both houſes; and it was thought dangerous by many to introduce ſo near the time of action, ſuch great innovations into the army. Had not the punctilious principles of Eſſex engaged him, amidſt all the diſguſts which he received, to pay implicit obedience to the parliament; this alteration had not been effected without ſome fatal accident: Since, notwithſtanding the prompt reſignation of his command, a mutiny was generally

* Ruſhw. vol. vii. p. 229. Wiſhart, cap. x. † 2d of July. ‡ Ruſhw. vol. vii. p. 229. Wiſhart, cap. xi.

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apprehended *. Fairfax, or, more properly ſpeaking, Cromwel under his name, introduced, at laſt, the *new model* into the army, and threw the whole troops into a different ſhape. From the ſame men, new regiments and new companies were formed, different officers appointed, and the whole military force put into ſuch hands, as the independents could rely on. Beſides members of parliament who were excluded, many officers unwilling to ſerve under the new generals, threw up their commiſſions; and unwarily facilitated the project of putting the army entirely into the hands of that faction.

THO' the diſcipline of the former parliamentary army was not contemptible, a more exact plan was introduced, and rigorouſly executed, by theſe new commanders. Valour indeed was very generally diffuſed over the one party as well as the other, during this period: Diſcipline alſo was attained by the forces of the parliament: But the perfection of the military art, in concerting the general plans of action, and the operations of the field, ſeems ſtill, on both ſides, to have been, in a great meaſure, wanting. Hiſtorians at leaſt, perhaps from their own ignorance and inexperience, have not remarked any thing but a headlong impetuous conduct; each party hurrying to a battle, where valour and fortune chiefly determined the ſucceſs. The great ornament of hiſtory, during theſe reigns, are the civil, not the military tranſactions.

New model of the army.

NEVER ſurely was a more ſingular army aſſembled, that that which was now ſet on foot by the parliament. To the greateſt number of the regiments, chaplains were not appointed: The officers aſſumed the ſpiritual duty, and united it with their military functions. During all the intervals of action, they occupied themſelves in ſermons, prayers, exhortations; and the ſame emulation, there, attended them, which, in the field, is ſo neceſſary to ſupport the honour of that profeſſion. Rapturous ecſtaſies ſupplied the place of ſtudy and reflection; and while the zealous devotees poured out their thoughts in unpremeditated harangues, they miſtook that eloquence, which, to their own ſurprize, as well as that of others, flowed in upon them, for divine illuminations, and for illapſes of the Holy Spirit. Wherever they were quartered, they excluded the miniſter from his pulpit; and, mounting that tribunal, conveyed their ſentiments to the audience, with all the authority, which followed their power, their valour, their military exploits, united to their appearing zeal and fervour. The private ſoldiers, ſeized with the ſame ſpirit, employed their vacant hours in prayer, in peruſing the Holy Scriptures, in ghoſtly conferences; where they compared the progreſs of their ſouls in grace, and mutually ſtimulated each other to farther advances in the great work of their ſalvation. When marching to battle, the whole field reſounded, as well with pſalms and ſpiritual ſongs adapted to the occaſion, as

* Ruſhw. vol. vii. p. 126, 127.

with the inſtruments of military muſic *; and each man endeavoured to drown the ſenſe of preſent danger, in the proſpect of that crown of glory which was ſet before him. In ſo holy a cauſe, wounds were eſteemed meritorious; death, martyrdom; and the hurry and dangers of action, inſtead of baniſhing their pious viſions, ſerved rather to impreſs their minds more ſtrongly with them. Chap. IX. 1645.

The royaliſts endeavoured to throw a ridicule on this fanaticiſm of the parliamentary armies, without being ſenſible how much reaſon they had to apprehend its dangerous conſequences. The forces, aſſembled by the King at Oxford, in the weſt, and in other places, were equal, if not ſuperior in number, to their adverſaries; but actuated by a very different ſpirit. That licence, which had been introduced by the want of pay, had riſen to a prodigious height among them, and rendered them more formidable to their friends than to their enemies. Prince Rupert, negligent of the people, fond of the ſoldiery, had indulged the troops in very unwarrantable liberties: Wilmot, a man of profligate manners, had promoted the ſame ſpirit of diſorder: And the licentious Goring, Gerrard, Sir Richard Granville, now carried it to the greateſt pitch of enormity. In the weſt eſpecially, where Goring commanded, univerſal ſpoil and havoc were committed; and the whole country was laid waſte by the unbounded rapine of the army. All diſtinction of parties being in a manner dropped; the moſt devoted friends of the church and monarchy wiſhed there for ſuch ſucceſs to the parliamentary forces, as might put an end to theſe oppreſſions. The country people, deſpoiled of their ſubſtance, flocked together in ſeveral places armed with clubs and ſtaves; and tho' they profeſſed an enmity to the ſoldiers of both parties, their hatred was in moſt places levelled chiefly againſt the royaliſts, from whom they had met with the worſt treatment. Many thouſands of theſe tumultuous peaſants were aſſembled in different parts of England; who deſtroyed all ſuch ſtraggling ſoldiers as they met with, and much infeſted the armies †.

The diſpoſition of the forces on both ſides, was as follows: Part of the Scots army was employed in taking Pomfret, and other towns in Yorkſhire: Part of it beſieged Carliſle, valiantly defended by Sir Thomas Glenham. Cheſter, where Biron commanded, had long been blockaded by Sir William Brereton; and was reduced to great difficulties. The King, being joined by the Princes, Rupert and Maurice, lay at Oxford, with a conſiderable army, about 15000 men. Fairfax and Cromwel were poſted at Windſor, with the new modelled army, about 22,000 men. Taunton, in the county of Somerſet, defended by Blake, ſuffered a long ſiege from Sir Richard Granville, who commanded an army of about 8000 men; and tho' the defence had been very obſtinate, the

* Dugdale, p. 7. Ruſhw vol. vi. p. 281. Clarendon, vol. v. p. 665. † Ruſhw. vol. vii. p. 52, 61, 62. Whitlocke, p. 130, 131, 133, 135.

garri-

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garriſon was now reduced to the laſt extremity. Goring commanded, in the weſt, an army of nearly the ſame number *.

On opening the campaign, the King formed the project of relieving Cheſter; Fairfax, that of relieving Taunton. The King was firſt in motion. When he advanced to Draiton in Shropſhire, Biron met him, and brought intelligence, that his approach had raiſed the ſiege, and that the parliamentary army was drawn off. Fairfax, having reached Saliſbury in his road weſtward, received orders from the committee of both kingdoms, appointed for the management of the war, to return and lay ſiege to Oxford, now expoſed by the King's abſence. He obeyed, after ſending Colonel Weldon to the weſt, with a detachment of 4000 men. On Weldon's approach, Granville, who imagined that Fairfax with his whole army was upon him, raiſed the ſiege, and allowed this pertinacious town, now half taken and half burned, to receive relief: But the royaliſts, being reinforced with 3000 horſe under Goring, again advanced to Taunton, and ſhut up Weldon, with his ſmall army, in that ruinous place †.

The King having effected his purpoſe with regard to Cheſter, returned ſouthwards; and, in his way, ſat down before Leiceſter, a garriſon of the parliament. Having made a breach in the wall, he ſtormed the town on all ſides; and, after a furious aſſault, the ſoldiers entered ſword in hand, and committed all thoſe diſorders, to which their natural violence, eſpecially when enflamed by reſiſtance, is ſo much addicted ‡. A great booty was taken and diſtributed among them: Fifteen hundred priſoners fell into the King's hands. This ſucceſs, which ſtruck a great terror into the parliamentary party, determined Fairfax to leave Oxford, which he was beginning to approach; and march towards the King, with an intention of offering him battle. The King was advancing towards Oxford, in order to raiſe the ſiege, which he apprehended was now begun; and both armies, ere they were aware, had advanced within ſix miles of each other. A council of war was called by the King, in order to deliberate concerning the meaſures which he ſhould now purſue. On the one hand, it ſeemed more prudent to delay the combat; becauſe Gerard, who lay in Wales with 3000 men, might be enabled, in a little time, to join the army; and Goring, it was hoped, would ſoon be maſter of Taunton, and having put the weſt in full ſecurity, would then unite his forces to thoſe of the King, and give him an inconteſtable ſuperiority over the enemy. On the other hand, Prince Rupert, whoſe boiling ardour ſtill puſhed him on to battle, excited the impatient humour of the nobility and gentry, of which the army was full; and urged the many difficulties under which the royaliſts laboured, and from which nothing but a victory could relieve them: The reſolution was taken of giving battle to Fairfax; and the royal army immediately advanced upon him.

* Ruſhw. vol. vii. p. 18, 19, &c. † Ibid. p. 28. ‡ Clarendon, vol. v. p. 652.

Chap. IX. 1645. Battle of Naſeby.

At Naſeby was fought, with forces nearly equal, this deciſive and well-diſputed field, between the King and parliament. The main body of the royaliſts was commanded by the King: The right wing, by Prince Rupert: The left, by Sir Marmaduke Langdale. Fairfax, ſeconded by Skippon, placed himſelf in the main body of the oppoſite army: Cromwel in the right wing: Ireton, Cromwel's ſon-in-law, in the left. The charge was begun, with his uſual celerity and uſual ſucceſs, by Prince Rupert. Tho' Ireton made ſtout reſiſtance, and even after he was run through the thigh with a pike, ſtill maintained the combat, till he was taken priſoner; yet was that whole wing broke, and purſued with precipitate fury by Rupert: He was even ſo inconſiderate as to loſe time in ſummoning and attacking the artillery of the parliament, which had been left with a good guard of infantry. The King led on his main body, and diſplayed, in this action, all the conduct of a prudent general, and all the valour of a ſtout ſoldier *. Fairfax and Skippon encountered him, and well ſupported that reputation, which they had acquired. Skippon, being dangerouſly wounded, was deſired by Fairfax to leave the field; but declared that he would remain there as long as one man maintained his ground †. The infantry of the parliament was broke, and preſſed upon by the King; till Fairfax, with great preſence of mind, brought up the reſerve and renewed the combat. Meanwhile, Cromwel, having led on his troops to the attack of Langdale, overbore the force of the royaliſts, and by his prudence improved that advantage, which he had gained by his valour. Having purſued the enemy about a quarter of a mile, and detached ſome troops to prevent their rallying; he turned back upon the King's infantry, and threw them into the utmoſt confuſion. One regiment alone preſerved its order unbroken, tho' twice deſperately aſſailed by Fairfax: and that general, excited by ſo ſteady a reſiſtance, ordered Doyley, the captain of his life-guard, to give them a third charge in front, while he himſelf attacked them in rear. The regiment was broke. Fairfax, with his own hands, killed an enſign, and having ſeized the colours, gave them to a ſoldier to keep for him. The ſoldier afterwards boaſting that he had won this ſpoil, was reproved by Doyley, who had ſeen the action: *Let him retain that honour*, ſaid Fairfax, *I have to day acquired enough beſide* ‡.

Prince Rupert, ſenſible too late of his error, left the fruitleſs attack on the enemy's artillery, and joined the King, whoſe infantry was now totally diſcomfited. Charles exhorted this body of cavalry not to deſpair, and cried aloud to them, *One charge more, and we recover the day* §. But the diſadvantages, under which they laboured, were too evident; and they could by no means be induced to renew the combat. Charles was obliged to quit the field, and leave the victory to the enemy ‖. The ſlain, on the ſide of the parliament, exceeded thoſe

* Whitlocke, p. 146. † Ruſhw. vol. vii. p. 43. Whitlocke, p. 145. ‡ Whitlocke, p. 145. § Ruſhw. vol. vii. p. 44. ‖ Clarendon, vol. iv. p. 656, 657. Walker, p. 130, 131.

on

Chap. IX. 1645. on the ſide of the King: They loſt a thouſand men; he not above eight hundred. But Fairfax made 500 officers priſoners and 4000 private men; took all the King's artillery and ammunition, and totally diſſipated his infantry: So that ſcarce any victory could be more complete, than that which he obtained.

AMONG the other ſpoils, was ſeized the King's cabinet, with the copies of his letters to the Queen, which the parliament afterwards ordered to be publiſhed *. They choſe, no doubt, ſuch of them as they thought would reflect moſt diſhonour upon him: Yet upon the whole, the letters are wrote with delicacy and tenderneſs, and give an advantageous idea both of the King's genius and morals. A mighty fondneſs, 'tis true, and attachment, he expreſſes to his conſort, and often profeſſes that he never would embrace meaſures diſagreeable to her: But ſuch declarations of civility and confidence are not always to be taken in a literal ſenſe. And ſo legitimate an affection, avowed by the laws of God and man, may, perhaps, be excuſable towards a woman of beauty and ſpirit, even tho' ſhe was a papiſt †.

THE Athenians, having intercepted a letter wrote by their enemy, Philip of Macedon, to his wife Olympia; ſo far from being moved by a curioſity of prying into the ſecrets of that relation, immediately ſent the letter to the Queen unopened. Philip was not their ſovereign; nor were they inflamed with that violent animoſity againſt him, which attends all civil commotions.

AFTER the battle, the King retreated with that body of horſe, which remained intire, firſt to Hereford, then to Abergavenny; and remained ſome time in Wales, from the vain hope of raiſing a body of infantry in thoſe harraſſed and exhauſted
17th of June. quarters. Fairfax, having firſt retaken Leiceſter, which was ſurrendered upon articles, began to deliberate concerning his future enterprizes. A letter was brought him, wrote by Goring to the King, and unfortunately entruſted to a ſpy of Fairfax. Goring informed the King, that, in three weeks time, he hoped to be maſter of Taunton; after which he would join his Majeſty with all the forces of the weſt; and entreated him, in the mean while, to avoid coming to any action with the enemy. This letter, which, had it been ſafely delivered, had probably prevented the battle of Naſeby, ſerved now to direct the councils of Fairfax ‡.

* Clarendon, vol. iv. p. 658.

† Hearne has publiſhed the following extract from a manuſcript work of Sir Simon D'Ewes, who was no mean man in the parliament party: "On Thurſday the 30th and laſt day of this inſtant, June, "1625, I went to Whitehall, purpoſely to ſee the Queen, which I did fully all the time ſhe ſat at "dinner. I perceived her to be a moſt abſolute delicate lady, after I had exactly ſurveyed all the fea- "tures of her face, much enlivened by her radiant and ſparkling black eyes. Beſides, her deport- "ment among her women was ſo ſweet and humble, and her ſpeech and looks to her other ſervants ſo "mild and gracious, as I could not abſtain from divers deep-fetched ſighs, to conſider, that ſhe want- "ed the knowledge of the true religion." See Preface to the Chronicle of Dunſtable, p. 64.

‡ Ruſhw. vol. vii. p. 49.

After

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After leaving a body of 3000 men to Pointz and Roſſiter, with orders to attend the King's motions, he marched immediately to the weſt, with a view of ſaving Taunton, and ſuppreſſing the only conſiderable force which now remained to the royaliſts.

In the beginning of the campaign, Charles, apprehenſive of the event, had ſent the Prince of Wales, now fifteen years of age, to the weſt, with the title of general, and had given orders, if he was preſſed by the enemy, that he ſhould make his eſcape into a foreign country, and ſave one part of the royal family from the violence of the parliament. Prince Rupert had thrown himſelf into Briſtol, with an intention of defending that important city. Goring commanded the army before Taunton.

On Fairfax's approach the ſiege of Taunton was raiſed; and the royaliſts retired to Lamport, an open town in the county of Somerſet. Fairfax attacked them in that poſt, beat them from it, killed about 300 men, and took 1400 priſoners *. After this advantage, he ſat down before Bridgewater, a town eſteemed ſtrong, and of great conſequence in that country. When he had entered the outer town by ſtorm, Windham the governor, who had retired into the inner, immediately capitulated, and delivered the place to Fairfax. The garriſon, to the number of 2600 men, were made priſoners of war.

10th of July.

23d of July.

Fairfax having next taken Bath and Sherborne, reſolved to ſit down before Briſtol; and made great preparations for an enterprize, which, from the ſtrength of the garriſon, and the reputation of Prince Rupert, the governor, was deemed of the laſt importance. But, ſo precarious in moſt men is this quality of military courage! a poorer defence was not made by any town, during the whole war: And the general expectations were here extremely diſappointed. No ſooner had the parliamentary forces entered the lines by ſtorm, than the Prince capitulated, and delivered up the city to Fairfax †. A few days before, he had wrote a letter to the King, in which he undertook to defend the place for four months, if no mutiny obliged him to ſurrender it. Charles, who was forming ſchemes, and collecting forces, for the relief of Briſtol, was aſtoniſhed at ſo unexpected an event, which was little leſs fatal to his party than the defeat of Naſeby ‡. Full of indignation, he inſtantly recalled all Prince Rupert's commiſſions, and ſent him a paſs to go beyond ſea §.

11th of Sept.

Surrender of Briſtol.

The King's affairs now went faſt to ruin in all quarters. The Scots, having made themſelves maſters of Carliſle ‖, after an obſtinate ſiege, marched ſouthwards, and laid ſiege to Hereford; but were obliged to raiſe it on the King's approach: And this was the laſt glimpſe of ſucceſs, which attended his arms. Hav-

* Ruſhw. vol. vii. p. 55. † Ibid. p. 83. ‡ Clarendon, vol. iv. p. 690. Walker, p. 137.
§ Clarendon, vol. iv. p. 695. ‖ 28th of June.

Chap. IX. 1645. ing marched to the relief of Cheſter, which was anew beſieged by the parliamentary forces under Colonel Jones; Pointz attacked his rear, and forced him to give
24th of Sept. battle. While the fight was continued with great obſtinacy, and victory ſeemed to incline to the royaliſts; Jones fell upon them from the other ſide, and put them to rout with the loſs of 600 ſlain and 1000 priſoners *. The King with the remains of his broken army, fled to Newark, and from thence eſcaped to Oxford, where he ſhut himſelf up during the winter ſeaſon.

THE news, which he received from all ſides, were no leſs fatal than thoſe events, which paſſed where he himſelf was preſent. Fairfax and Cromwel, after the ſurrender of Briſtol, having divided their forces, the former marched weſtwards, in order to compleat the conqueſt of Devonſhire and Cornwall; the latter attacked the King's garriſons which lay to the eaſt of Briſtol. The Devizes was ſurrendered to Cromwel; Berkeley caſtle was taken by ſtorm; Wincheſter capitulated; Baſing-houſe was entered ſword in hand: And all theſe middle counties of England were, in a little time, reduced to obedience under the parliament.

1646. The weſt conquered by Fairfax. THE ſame rapid and uninterrupted ſucceſs attended Fairfax. The parliamentary forces, elevated by paſt victories, governed by the moſt rigid diſcipline, met with no equal oppoſition from troops, diſmayed by repeated defeats, and corrupted by licentious manners. After beating up the quarters of the royaliſts at
18th of Jan. Bovey-Tracy, Fairfax ſat down before Dartmouth, and in a few days entered it
19th of Feb. by ſtorm. Poudram caſtle being taken by him, and Exeter blockaded on all ſides; Hopton, a man of merit, who now commanded the royaliſts, having advanced to the relief of that town with an army of 8000 men, met with the parliamentary army at Torrington; where he was defeated, all his foot diſperſed, and he himſelf with his horſe obliged to retire into Cornwall. Fairfax followed him, and vigorouſly purſued the victory. Having encloſed the royaliſts at Truro, he forced the whole army conſiſting of 5000 men, chiefly cavalry, to ſurrender upon terms. The ſoldiers, delivering up their horſes and arms, were allowed to diſband, and received twenty ſhillings a-piece, to carry them to their own houſes. Such of the officers, as deſired it, had paſſes to retire beyond ſea: The others, having promiſed never more to bear arms, paid compoſitions to the parliament †, and procured their pardon ‡. And thus Fairfax, after taking Exeter, which compleated the conqueſt of the weſt, marched, with his victorious army, to the centre of the kingdom, and fixed his camp at Newbury. The Prince of Wales, in purſuance

* Ruſhw. vol. vii. p. 117.

† Theſe compoſitions were different, according to the demerits of the perſon: But by a vote of the houſe they could not be under two years rent of the delinquent's eſtate. Journ. 11th of Auguſt 1648. Whitlocke, p. 160.

‡ Ruſhw. vol. vii. p. 108.

of the King's orders, retired to Scilly, then to Jerſey; from whence he went to Paris; where he joined the Queen, who had fled thither from Exeter, at the time the Earl of Eſſex conducted the parliamentary army to the weſt. Chap. IX. 1646.

In the other parts of England, Hereford was taken by ſurprize: Cheſter ſurrendered: Lord Digby, who had attempted, with 1200 horſe, to break into Scotland and join Montroſe, was defeated at Sherburn in Yorkſhire, by Colonel Copley; his whole force diſperſed; and he himſelf obliged to fly, firſt to the iſle of Man, and thence into Ireland. News too arrived that Montroſe himſelf, after ſome more ſucceſſes, was at laſt routed; and this only remaining hope of the royal party finally extinguiſhed.

When Montroſe deſcended into the ſouthern counties, the covenanters, aſſembling their whole force, met him with a numerous army, and gave him battle, but without ſucceſs, at Kilſyth *. This was the moſt complete victory which Montroſe ever obtained. The royaliſts put to ſword ſix thouſand of their enemies, and left the covenanters no remains of any army in Scotland. The whole kingdom was ſhook with theſe repeated ſucceſſes; and many noblemen, who ſecretly favoured the royal cauſe, now declared openly for it, when they ſaw a force able to ſupport them. The Marqueſs of Douglas, the Earls of Annandale and Hartfield, the Lords Fleming, Seton, Maderty, Carnegy, with many others, flocked to the royal ſtandard. Edinburgh opened its gates, and gave liberty to all the priſoners, which were there detained by the covenanters. Among the reſt, was the Lord Ogilvy, ſon to Airly, whoſe family had contributed extremely to the victory, obtained at Kilſyth †.

David Lesly was detached from the army in England, and marched to the relief of his diſtreſſed party in Scotland. Montroſe advanced ſtill farther to the ſouth, allured by vain hopes, both of rouzing to arms the Earls of Hume, Traquaire, and Roxborough, who had promiſed to join him; and of obtaining from England ſome ſupply of cavalry, of which he ſtood in great need. By the negligence of his ſcouts, Leſly, at Philip-haugh in the Forreſt, ſurprized his army, much diminiſhed in numbers, from the deſertion of the Highlanders, who had retired to the hills, according to cuſtom, in order to ſecure their plunder. After a ſharp conflict, where Montroſe exerted the moſt heroic valour, his forces were routed by Leſly's cavalry ‡. And he himſelf was obliged to fly with his broken forces into the mountains; where he again prepared himſelf for new battles and new enterprizes §. Defeat of Montroſe.

The covenanters uſed the victory with great rigour. Their priſoners, Sir Robert Spotiſwood, ſecretary of ſtate, and ſon to the late primate, Sir Philip

* 15th of Auguſt 1645. † Ruſhw. vol. vii. p. 230, 231. Wiſhart, cap. xiii. ‡ 13th of Sept. 1645. § Ruſhw. vol. vii. p. 231.

Chap. IX. 1646. Niſbet, Sir William Rollo, Colonel Nathaniel Gordon, Andrew Guthry, ſon to the biſhop of Murray, William Murray, ſon to the Earl of Tullibardine, were condemned and executed. The ſole crime, imputed to the ſecretary, was the delivering to Montroſe the King's commiſſion to be captain general of Scotland. Lord Ogilvy, who was again taken priſoner, would have undergone the ſame fate, had not his ſiſter found means to procure his eſcape, by changing cloaths with him. For this inſtance of courage and dexterity, ſhe met with very harſh uſage. The clergy ſolicited the parliament that more royaliſts might be executed; but could not obtain their requeſt *.

AFTER all theſe repeated diſaſters, which, every where, befel the royal party, there remained only one body of troops, on which fortune could exerciſe her
22d of March. rigour. Lord Aſtley with a ſmall army of 3000 men, chiefly cavalry, marching to Oxford, in order to join the King, was met at Stowe by Colonel Morgan, and utterly defeated; himſelf being taken priſoner. "You have done your "work," ſaid Aſtley to the parliamentary officers; "and may now go to play, "unleſs you chooſe to fall out among yourſelves †."

THE condition of the King during this whole winter, was, to the laſt degree, diſaſtrous and melancholy. As the dread of ills is commonly more oppreſſive than their real preſence, perhaps in no period of his life was he more juſtly the object of compaſſion. His vigour of mind, which, tho' it ſometimes failed him in acting, never deſerted him in his ſufferings, was what alone ſupported him; and he was determined, as he wrote to Lord Digby, if he could not live as a king to die like a gentleman; nor ſhould any of his friends, he ſaid, ever have reaſon to bluſh for the prince, whom they had ſo unfortunately ſerved ‡. The murmurs of diſcontented officers, on the one hand, harraſſed their unhappy ſovereign; while they over-rated thoſe ſervices and ſufferings, which, they now ſaw, muſt, for ever, be unrewarded §. The affectionate duty, on the other hand, of his more generous friends, who reſpected his misfortunes and his virtues, as much as his dignity, muſt have wrung his heart with new ſorrow; when he reflected, that ſuch diſintereſted attachment would ſo ſoon be expoſed to the rigour of his implacable enemies. Repeated attempts, which he made for a peaceful and equitable accommodation with the parliament, ſerved to no purpoſe, but to convince them that the victory was intirely in their hands. They

* Guthry's Memoirs. Ruſhw. vol. vii. p. 232.

† Ruſhw. vol. vii. p. 141. It was the ſame Aſtley, who, before he charged at the battle of Edgehill, made this ſhort prayer: "*O Lord! thou knoweſt how buſy I muſt be this day: If I forget thee, do not thou forget me.* And with that roſe up, and cried, *March on, boys.* Warwick, p. 229. There were certainly much longer prayers ſaid in the parliamentary army, but I doubt if there was ſo good a one.

‡ Carte's Ormond, vol. iii. No. 433. § Walker, p. 147.

deigned

deigned not to make the leaſt reply to ſeveral of his meſſages, in which he de- Chap. IX. 1646.
ſired a paſſport for commiſſioners *. At laſt after reproaching him with the blood ſpilt during the war, they told him, that they were preparing bills for him, and his paſſing them would be the beſt pledge of his inclination towards peace: In other words he muſt yield at diſcretion †. He deſired a perſonal treaty, and offered to come to London upon receiving a ſafe conduct for himſelf and his attendants: They abſolutely refuſed him acceſs, and iſſued orders for the guarding, that is, ſeizing, his perſon, in caſe he ſhould attempt to viſit them ‡. A new accident, which happened in Ireland, ſerved to inflame the minds of men, and to increaſe thoſe calumnies, with which his enemies had ſo much loaded him, and which he ever regarded as the moſt grievous part of his misfortunes.

After the ceſſation with the Iriſh rebels, the King was deſirous of concluding a final peace with them, and obtaining their aſſiſtance in England: And he gave authority to Ormond, Lord lieutenant, to promiſe them an abrogation of all the penal laws, enacted againſt catholics; together with the ſuſpenſion of Poining's ſtatute, with regard to ſome particular bills, which ſhould be agreed on. Lord Herbert, created Earl of Glamorgan, (tho' his patent had not yet paſſed the ſeals) having occaſion for his private affairs to go to Ireland, the King conſidered that this Nobleman, being a catholic, and allied to the beſt Iriſh families, might be of ſervice: He alſo foreſaw, that farther conceſſions with regard to religion might probably be demanded by the bigoted Iriſh; and that as theſe conceſſions, however neceſſary, would give great ſcandal to the proteſtant zealots in his three kingdoms, it would be requiſite both to conceal them during ſome time, and to preſerve Ormond's character, by giving privately authority to Glamorgan to conclude and ſign theſe articles. But as he had a better opinion of Glamorgan's zeal and affection for his ſervice, than of his capacity, he injoined him to communicate all his meaſures to Ormond; and tho' the final concluſion of the treaty muſt be performed only in Glamorgan's own name, he was required to be directed, in the ſteps towards it, by the opinion of the Lord lieutenant. Glamorgan, bigoted to his religion, and paſſionate for the King's ſervice, but guided in theſe purſuits by no manner of judgment or diſcretion, ſecretly, of himſelf, without any communication with Ormond, concluded a peace with the council of Kilkenny, and agreed in the King's name, that the Iriſh ſhould enjoy all the churches, which they had ever been in poſſeſſion of, ſince the commencement of their inſurrection; on condition that they ſhould aſſiſt the King in England with a body of ten thouſand men. This tranſaction was diſcovered by accident. The titular archbiſhop of Tuam being killed by a

* Ruſhw. vol. vii. p. 215, &c. † Ruſhw. vol. vii. p. 217, 219. Clarendon, vol. iv. p. 744. ‡ Ruſhw. vol. vii. p. 249. Clarend. vol. iv. p. 741.

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ſally of the garriſon of Sligo, the articles of the treaty were found among his baggage, and were immediately publiſhed every where, and copies of them ſent over to the Engliſh parliament *. The Lord lieutenant and Lord Digby, foreſeeing the clamour which would be raiſed againſt the King, committed Glamorgan to priſon, charged him with high treaſon for his temerity, and maintained that he had acted altogether without any authority from his Majeſty. The Engliſh parliament likewiſe neglected not ſo favourable an opportunity of reviving the old clamour with regard to the King's favour of popery, and accuſed him of delivering over, in a manner, the whole kingdom of Ireland to that hated ſect. The King told them, "That the Earl of Glamorgan having made "an offer unto him to raiſe forces in the kingdom of Ireland, and to conduct "them into England for his Majeſty's ſervice, had a commiſſion to that pur- "poſe, and to that purpoſe only, and that he had no commiſſion at all to treat "of any thing elſe, without the privity and direction of the Lord lieutenant, "much leſs to capitulate any thing concerning religion, or any property belong- "ing either to church or laity." † Tho' this declaration ſeems to be agreeable to truth, it gave no ſatisfaction to the parliament; and ſome hiſtorians, even at preſent, when the antient bigotry is univerſally abated, are deſirous of repreſenting this very innocent tranſaction, in which the King was engaged by the moſt violent neceſſity, as a ſtain on the memory of that unfortunate prince ‡.

HAVING

* Ruſhw. vol. vii. p. 239. † Birch, p. 119.

‡ Dr. Birch has wrote a treatiſe on this ſubject, with all that care and accuracy, by which he has been enabled to throw light on many paſſages of the Engliſh hiſtory. It is not my buſineſs to oppoſe any facts contained in that gentleman's performance. I ſhall only produce arguments, which prove that Glamorgan, when he received his private commiſſion, had injunctions from the King to act altogether in concert with Ormond. 1. It ſeems to be imply'd in the very words of the commiſſion. Glamorgan is empowered and authoriſed to treat and conclude with the confederate Roman catholics in Ireland, "If upon neceſſity any *(articles)* be condeſcended unto, wherein the King's lieutenant "cannot ſo well be ſeen in, as not fit for us at preſent publickly to own." Here no articles are mentioned, which are not fit to be communicated to Ormond, but only not fit for him and the King publickly to be ſeen in, and to avow. 2. The King's proteſtation to Ormond, ought, both on account of that prince's character, and the reaſons he aſſigns, to have the greateſt weight. The words are theſe, "Ormond, I cannot but add to my long letter, that, upon the word of a chriſtian, "I never intended Glamorgan ſhould treat any thing without your approbation, much leſs without "your knowledge. For beſides the injury to you, I was always diffident of his judgment (tho' I "could not think him ſo extremely weak as now to my coſt I have found;) which you may eaſily "perceive in a poſtſcript of a letter of mine to you." Carte, vol. ii. App. xxiii. It is impoſſible that any man of honour, however he might diſſemble with his enemies, would aſſert a falſehood in ſo ſolemn a manner to his beſt friend; eſpecially where that perſon muſt have had opportunities of knowing the truth. The letter, whoſe poſtſcript is mentioned by the King, is to be found in Carte, vol. ii. App. xiii. 3. Mr. Carte has publiſhed a whole ſeries of the King's correſpondence with Ormond, from the time that Glamorgan came into Ireland; and it is evident that Charles all along conſiders the lord lieutenant as the only perſon who was conducting the negotiations with the Iriſh.

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HAVING loſt all hope of prevailing over the rigour of the parliament, either by arms or by treaty, the only reſource, which remained to the King, conſiſted in the inteſtine diſſentions, which ran very high among the parties. Preſbyterians and independents, even before their victory was fully compleated, fell into high conteſts about the diviſion of the ſpoil, and their religious as well as civil diſputes agitated the whole nation.

THE parliament, tho' they had very early aboliſhed epiſcopal authority, had not, during ſo long a time, ſubſtituted any other in its place; and their committees of religion had hitherto aſſumed the whole eccleſiaſtical juriſdiction: But

The 31ſt of July, 1645, after the battle of Naſeby, being reduced to great ſtraits, he writes earneſtly to Ormond to conclude a peace upon certain conditions mentioned, much inferior to thoſe granted by Glamorgan; and to come over himſelf with all the Iriſh he could engage in his ſervice. Carte, vol. iii. No. 400. This would have been a great abſurdity, if he had already fixed a different canal, by which, on very different conditions, he propoſed to eſtabliſh a peace. On the 22d of October, as his diſtreſſes multiply, he ſomewhat enlarges the conditions, tho' they ſtill fall ſhort of Glamorgan's: A new abſurdity! See Carte, vol. iii. p. 411. 4. But what is equivalent to a demonſtration, that Glamorgan was conſcious that he had no powers to conclude a treaty on theſe terms, or without conſulting the lord lieutenant, and did not even expect, that the King would ratify the articles, is the defeazance, which he gave to the Iriſh council at the time of ſigning the treaty. "The Earl of Gla-
" morgan does no way intend hereby to oblige his Majeſty other than he himſelf ſhall pleaſe, after
" he has received theſe 10,000 men, as a pledge and teſtimony of the ſaid Roman catholics' loyalty
" and fidelity to his Majeſty; yet he promiſes faithfully, upon his word and honour, not to acquaint
" his Majeſty with this defeazance, till he had endeavoured, as far as in him lay, to induce his Ma-
" jeſty to the granting of the particulars in the ſaid articles: But that done, the ſaid commiſſioners
" diſcharge the ſaid Earl of Glamorgan, both in honour and conſcience, of any farther engagement
" to them therein; tho' his Majeſty ſhould not be pleaſed to grant the ſaid particulars in the ar-
" ticles mentioned; the ſaid Earl having given them aſſurance, upon his word, honour, and volun-
" tary oath, that he would never, to any perſon whatſoever, diſcover this defeazance in the interim,
" without their conſents." Dr. Birch, p. 96. All Glamorgan's view was to get troops for the King's ſervice, without hurting his own honour or his maſter's. The wonder only is, why the Iriſh accepted a treaty, which bound no body, and which the very perſon, who concludes it, ſeems to confeſs he does not expect to be ratified. They probably hoped, that the King would, from their ſervices, be more eaſily induced to ratify a treaty which was concluded, than to conſent to its concluſion.

This note is ſomewhat different from that publiſhed in the firſt edition. On a review, I do not find that the King ever poſitively affirmed that Glamorgan's powers were forgeries. He ſays not ſo in his declaration to the parliament above-cited. In his letter to Ormond and the Iriſh council, he ſeems even to acknowledge their reality; at leaſt ſays that he might poſſibly have given him ſome powers to treat; tho' he always enjoined him to act in ſubordination to the lord lieutenant. Carte, vol. iii. p. 425.

Dr. Birch, in page 360, has publiſhed a letter of the King's to Glamorgan, where he ſays, "Howbeit I know you cannot be but confident of my making good all inſtructions and promiſes to
" you and the nuncio." But it is to be remarked, that this letter is dated in April 5, 1646; after there had been a new negotiation entered into between Glamorgan and the Iriſh, and after a proviſional treaty had even been concluded between them. See Dr. Birch, p. 179. The King's aſſurances, therefore, can plainly relate only to this recent tranſaction. The old treaty had long been diſavowed by the King, and ſuppoſed by all parties to be annulled.

they

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they now eſtabliſhed, by an ordinance, the preſbyterian government in all its forms of *congregational*, *claſſical*, *provincial*, and *national* aſſemblies. All the inhabitants of each pariſh were ordered to meet and chuſe elders, on whom, together with the miniſter, was beſtowed the intire direction of all ſpiritual concerns within the congregation. A number of neighbouring pariſhes, commonly between twelve and twenty, formed a claſſis; and the court, which governed this diviſion, was compoſed of all the miniſters, together with two, three, or four elders choſen from each pariſh. The provincial aſſembly retained an inſpection over ſeveral neighbouring claſſes, and was compoſed intirely of clergymen: The national aſſembly was conſtituted in the ſame manner; and its authority extended over the whole kingdom. 'Tis probable, that the tyranny exerciſed by the Scots Clergy, had given warning not to allow laymen a place in the provincial or national aſſemblies; leſt the nobility and more conſiderable gentry, ſoliciting a ſeat in theſe great eccleſiaſtical courts, ſhould beſtow a conſideration upon them, and render them, in the eyes of the multitude, a rival to the parliament. In the inferior courts, the mixture of the laity might ſerve rather to temper the zeal of the clergy *.

But tho' the preſbyterians, by the eſtabliſhment of parity among the eccleſiaſtics, were ſo far gratified, they were denied ſatisfaction in ſeveral other points, on which they were extremely intent. The aſſembly of divines had voted preſbytery to be of divine right: The parliament refuſed their aſſent to that deciſion †. Selden, Whitelocke, and other political reaſoners, aſſiſted by the independents, had prevailed in this important deliberation. They thought, that had the bigoted religioniſts been able to get their heavenly charter recognized, the preſbyters would ſoon become more dangerous to the magiſtrate than had ever been the prelatical clergy. Theſe latter, while they claimed to themſelves a divine right, admitted of a like origin to civil authority: The former, challenging to their own order a celeſtial pedigree, derived the legiſlative power from no more dignified a ſource than the voluntary aſſociation of the people.

Under colour of keeping the ſacraments from profanation, the clergy of all chriſtian ſects had aſſumed, what they call the power of the keys, or the right of fulminating excommunication. The example of Scotland was a ſufficient leſſon for the parliament to make proviſion againſt ſo ſevere a tyranny. They determined, by an ordinance, all the caſes in which excommunication could be uſed. They allowed of appeals to the parliament from all eccleſiaſtical courts. And they appointed commiſſioners in each province to judge of ſuch caſes as fell not within their ordinance ‡. So much civil authority, intermixed with the eccleſiaſtical, gave diſguſt to all the zealots.

* Ruſhw. vol. vii. p. 224.

† Whitlocke, p. 106. Ruſhw. vol. vii. p. 260, 261.

‡ Ruſhw. vol. vii. p. 210.

But

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But nothing was attended with more univerſal ſcandal than the propenſity of many in the parliament towards a toleration of the proteſtant ſectaries. The preſbyterians exclaimed, that this indulgence made the church of Chriſt reſemble Noah's ark, and rendered it a receptacle for all unclean beaſts. They inſiſted, that the leaſt of all Chriſt's truths was ſuperior to all political conſiderations *. They maintained the eternal obligation of their covenant to extirpate hereſy and ſchiſm. And they menaced all their opponents with the ſame rigid perſecution, of which they had, themſelves, ſo loudly complained, when held in ſubjection by the hierarchy.

So great prudence and reſerve, in ſuch material points, does great honour to the parliament; and proves, that, notwithſtanding the prevalence of bigotry and fanaticiſm, there were many members, who had more enlarged views, and paid regard to the civil intereſts of ſociety. Theſe men, uniting themſelves to the enthuſiaſts, whoſe genius is naturally averſe to clerical uſurpations, exercis'd ſo jealous an authority over the aſſembly of divines, that they allowed them nothing but the liberty of tendering advice, and would not entruſt them even with the power of electing their own chairman or his ſubſtitute, or of ſupplying the vacancies of their own members.

While the diſputes were canvaſſed by theologians, who engaged in their ſpiritual conteſts every order of the ſtate; the King, tho' he entertained hopes of reaping advantage from theſe diviſions, was much at a loſs what ſide it would be moſt for his intereſt to comply with. The preſbyterians were, by their principles, the leaſt averſe to regal authority; but were rigidly bent on the extirpation of prelacy: The independents were reſolute to lay the foundations of a republican government; but as they pretended not to erect themſelves into a national church, it might be hoped, that, if gratified with a toleration, they would admit the reeſtabliſhment of the hierarchy. So great attachment had the King to epiſcopal juriſdiction, that he was ever inclined to put it in balance even with his own power and kingly office.

But whatever advantage he might propoſe to reap from the diviſions of the parliamentary party, he was apprehenſive, that it would come too late, to ſave him from that deſtruction with which he was inſtantly threatened. Fairfax was approaching with a powerful and victorious army, and was taking the proper meaſures for laying ſiege to Oxford, which muſt infallibly fall into his hands. To be taken captive and led in triumph by his inſolent enemies, was what Charles juſtly abhorred; and every inſult, if not violence, was to be dreaded, from that enthuſiaſtic ſoldiery, who hated his perſon, and deſpiſed his dignity. In this deſperate extremity, he embraced a meaſure, which, in any other ſituation, might juſtly lie under the imputation of imprudence and indiſcretion.

* Ruſhw. vol. vii. p. 308.

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MONTREVILLE, the French miniſter, intereſted for the King more by the natural ſentiments of humanity, than any inſtructions from his court, which ſeemed rather to favour the parliament, had ſollicited the Scots generals and commiſſioners, to give protection to their diſtreſſed ſovereign; and having received many general profeſſions and promiſes, he had always tranſmitted theſe, perhaps with ſome exaggeration, to the King. From his ſuggeſtions, Charles began to entertain thoughts of leaving Oxford, and flying to the Scots army, which at that time lay before Newark *. He conſidered that the Scots nation had been fully gratified in all their demands; and having already, in their own country, annihilated both epiſcopacy and regal authority, had no farther conceſſions to exact of him. In all diſputes, which had paſſed about ſettling the terms of peace, the Scots, he heard, had ſtill adhered to the milder ſide, and had endeavoured to ſoften the rigour of the Engliſh parliament. Great diſguſt alſo, on other accounts, had taken place between the nations; and the Scots found, that, in proportion as their aſſiſtance became leſs neceſſary, leſs value was put upon them. The progreſs of the independents gave them great alarm; and they were ſcandalized to hear their beloved covenant ſpoken of, every day, with leſs regard and reverence. The refuſal of a divine right to preſbytery, and the infringing eccleſiaſtical diſcipline from political conſiderations, were, to them, the ſubject of much offence; and the King hoped, that, in their preſent diſpoſition, the ſight of their native prince, flying to them in this extremity of diſtreſs, would rouze every ſpark of generoſity in their boſom, and procure him their favour and protection.

THAT he might the better conceal his intention, orders were given at every gate in Oxford, for allowing three perſons to paſs; and in the night, the King, accompanied only with Dr. Hudſon and Mr. Aſhburnham, went out at that gate, which leads to London. He rode before a portmanteau, and called himſelf Aſhburnham's ſervant. He paſſed thro' St. Albans, Henley, and came ſo near London as Harrow on the Hill. He once entertained ſome thoughts of entering into that city, and of throwing himſelf on the mercy of the parliament. But at laſt, 5th of May. after paſſing thro' many croſs roads, he arrived at the Scots camp before Newark †. The parliament, hearing of his eſcape from Oxford, iſſued rigorous orders, and threatened with inſtant death, whoever ſhould harbour or conceal him ‡.

King goes to the Scots camp at Newark.

THE Scots generals and commiſſioners affected great ſurpriſe at the appearance of the King: And tho' they payed him all the exterior reſpect due to his dignity, they inſtantly put a guard upon him, under colour of protection; and made him in reality a priſoner. They informed the Engliſh parliament of this

* Clarendon, vol. iv. p. 750. vol. v. p. 16. † Ruſhw. vol. vii. p. 267.
‡ Whitlocke, p. 209.

unex-

unexpected incident, and assured them, that they had entered into no private treaty with the King. They applied to him for orders to Bellasis, governor of Newark, to surrender that town, now reduced to extremity; and the orders were instantly obeyed. And hearing that the parliament laid claim to the entire disposal of the King's person, and that the English army were making some motions towards them; they thought proper to retire northwards, and fixed their camp at Newcastle *. Chap. IX. 1646.

This measure was very agreeable to the King; and he began to entertain hopes of protection from the Scots. He was particularly attentive to the behaviour of their preachers, on whom all depended. It was the mode of that age to make the pulpit the scene of news; and on every great event, the whole Scripture was ransacked by the clergy, for passages applicable to the present occasion. The first minister who preached before the King, chose these words for his text, "And behold all the men of Israel came to the king, and said unto him, "Why have our brethren, the men of Judah, stolen thee away, and have "brought the king and his household, and all David's men with him, over Jor-"dan? And all the men of Judah answered the men of Israel, Because the king "is near of kin to us; wherefore then be ye angry for this matter? Have we "eaten at all of the king's cost? or hath he given us any gift? And the men "of Israel answered the men of Judah, and said, We have ten parts in the king, "and we have also more right in David than ye: Why then did ye despise us, "that our advice should not be first had in bringing back our king? And the words "of the men of Judah were fiercer than the words of the men of Israel †." But the King soon found, that the happiness of the allusion chiefly had tempted the preacher to employ this text, and that the covenanting zealots were nowise pacified towards him. Another preacher, after reproaching him to his face, with his misgovernment, ordered this psalm to be sung;

Why dost thou, tyrant, boast thyself
Thy wicked deeds to praise?

The king stood up, and called for that psalm which begins with these words,

Have mercy, Lord, on me, I pray;
For men would me devour:

The good-natured audience, in pity to fallen majesty, showed, for once, greater deference to the king than to the minister, and sung the psalm which the former had called for ‡.

* Rushw. vol. vii. p. 271. Clarendon, vol. v. p. 23.
† 2 Sam. chap. xix. 41, 42, and 43 verses. See Clar. vol. v. p. 23, 24.
‡ Whitlocke, p. 234.

Chap. IX. 1646.

CHARLES had very little reaſon to be pleaſed with his ſituation. Not only he found himſelf a priſoner, very narrowly guarded: All his friends were kept at a diſtance; and no intercourſe, either by letters or converſation, was allowed him with any one, on whom he could depend, or who was ſuſpected of any attachment to him. The Scots generals would enter into no confidence with him; and ſtill treated him with diſtant ceremony and feigned reſpect. And every propoſal which they made him, tended farther to his abaſement and his ruin *.

THEY required him to iſſue orders to Oxford, and all his other garriſons, commanding their ſurrender to the parliament: And the King, ſenſible that their reſiſtance was to very little purpoſe, willingly complied. The terms which were given to moſt of them, were honourable; and Fairfax, as far as lay in his power, was very exact in obſerving them. Far from allowing violence; he would not even permit inſults or triumph over the unfortunate royaliſts; and by his generous humanity, ſo cruel a civil war ended, in appearance, very calmly, between the parties.

ORMOND having received like orders, delivered Dublin, and other forts, into the hands of the parliamentary officers. Montroſe alſo, after having experienced ſtill more variety of good and bad fortune, threw down his arms, and retired out of the kingdom.

THE Marqueſs of Worceſter, a man paſt eighty-four, was the laſt in England who ſubmitted to the authority of the parliament. He defended Raglan caſtle to extremity; and opened not its gates till the middle of Auguſt. Four years, a few days excepted, were now elapſed, ſince the King firſt erected his ſtandard at Nottingham †. So long had the Britiſh nations, by civil and religious quarrels, been occupied in ſhedding their own blood, and laying waſte their mother-country.

THE parliament and the Scots laid their propoſals before the King. They were ſuch as a captive, entirely at mercy, could expect from the moſt inexorable victor: Yet were they little worſe than what were inſiſted on before the battle of Naſeby. The power of the ſword, inſtead of ten, which the King now offered, was demanded for twenty years, together with a right to levy whatever money the parliament ſhould think proper for the ſupport of their armies. The other conditions were, in the main, the ſame with thoſe which were formerly offered to the King ‡.

CHARLES ſaid, that propoſals, which introduced ſuch important innovations in the conſtitution, demanded time for deliberation: The commiſſioners replied, that he muſt give his anſwer in ten days §. He deſired to reaſon about the mean-

* Clarend. vol. v. p. 30. † Ruſhw. vol. vii. p. 293.
‡ Ruſhw. vol. vii. p. 309. § Ruſhw. vol. vii. p. 319.

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ing and import of the terms: They informed him, that they had no power of debate; and required peremptorily his consent or refusal. He requested a personal treaty with the parliament: They threatened, that, if he delayed compliance, the parliament would, by their own authority, settle the nation. Chap IX. 1646.

What the parliament was most intent upon, was not the treaty with the King, to whom they paid little regard; but that with the Scots nation. Two important points remained to be settled with them; their delivery of the King, and the estimation of their arrears.

The Scots pretended, that, as Charles was King of Scotland as well as of England, they were intitled to an equal vote in the disposal of his person: And that, in such a case, where the titles are equal, and the subject indivisible, the preference was due to the present possessor. The English maintained, that the King, being in England, was comprehended within the jurisdiction of that kingdom, and could not be disposed of by any foreign nation. A delicate question this, and what surely could not be decided by precedent; since such a situation is not, any where, to be found in history *.

As the Scots concurred with the English, in imposing such rigorous conditions on the King, that, notwithstanding his unfortunate situation, he still refused to accept of them; it is certain that they did not desire his freedom; nor could they ever intend to join lenity and tyranny together, in so inconsistent a manner. Before the settlement of terms, the administration must be possessed intirely by the parliaments of both kingdoms; and how incompatible that scheme with the liberty of the king, is easily imagined. To carry him a prisoner into Scotland, where few forces could be supported in order to guard him, was a measure so full of inconvenience and danger, that, even if the English had consented to it, it must have appeared to the Scots nation altogether ineligible: And how could such a plan be supported in opposition to England, possessed of such numerous, and victorious armies, which were, at that time, or at least, seemed to be, in intire union with the parliament? The only expedient, it is obvious, which the Scots could embrace, if they scrupled intirely to abandon the king, was immediately to return, fully and cordially, to their allegiance; and, uniting themselves with the royalists of both kingdoms, endeavour, by force of arms, to reduce the English parliament to more moderate conditions: But besides that this measure was full of extreme hazard; what was it but instantly to combine with their old enemies against their old friends, and in a fit of romantic generosity, overturn what, with so much expence of blood and treasure, they had, during the course of so many years, been so carefully erecting?

But, tho' all these reflections occurred to the Scots commissioners, they resolved to prolong the dispute, and to keep the king as a pledge for those arrears,

* Rushw. vol. vii. p. 339.

which

Chap. IX. 1646.

which they claimed from England, and which they were not likely, in the preſent diſpoſition of that nation, to obtain by any other expedient. The ſum, by their account, amounted to two millions: For they had received very little regular pay, ſince they had entered England. And tho' the contributions which they had levied, as well as the price of their living on free quarters, muſt be deducted; yet ſtill the ſum, which they inſiſted on, was very conſiderable. After many diſcuſſions, it was, at laſt, agreed, that, in lieu of all demands, they ſhould accept of 400,000 pounds, one half to be paid inſtantly, another within a twelvemonth *.

GREAT pains were taken by the Scots, (and the Engliſh complied with their pretended delicacy) to make this eſtimation and payment of arrears appear a quite different tranſaction from that for the delivery of the King's perſon: But common ſenſe requires, that they ſhould be regarded as one and the ſame. The Engliſh, it is evident, had they not been previouſly aſſured of receiving the King, would never have parted with ſo conſiderable a ſum, and, while they weakened themſelves, by the ſame meaſure have ſtrengthened a people, with whom they ſhould afterwards have ſo material an intereſt to diſcuſs.

THUS the Scots nation underwent, and ſtill undergo (for ſuch grievous ſtains are not eaſily wiped off) the reproach of ſelling their King, and bargaining their prince for money. In vain, did they maintain, That this money was, on account of former ſervices, undoubtedly their due; that, in their preſent ſituation, no other meaſure, without the utmoſt indiſcretion, or even their apparent ruin, could be embraced; that tho' they delivered their King into the hands of his open enemies, they were themſelves as much his open enemies as thoſe to whom they ſurrendered him, and their common hatred againſt him had long united the two parties in ſtrict alliance with each other. They were ſtill anſwered, that they made uſe of this ſcandalous expedient to obtain their wages; and that after taking arms, without any provocation, againſt their ſovereign, who had ever loved and cheriſhed them, they had deſervedly fallen into a ſituation, from which they could not extricate themſelves, without either infamy or imprudence.

THE infamy of this bargain had ſuch influence on the Scots parliament, that they once voted, that the King ſhould be protected, and his liberty inſiſted on. But the general aſſembly interpoſed, and pronounced, that, as he had refuſed to take the covenant, which was preſſed on him, it became not the godly to concern themſelves about his fortunes. After this declaration, it behoved the parliament to retract their vote.

INTELLIGENCE of the final reſolution of the Scots nation to deliver him up, was brought to the King; and he happened, at that very time, to be playing at cheſs †. Such command of temper did he enjoy, that he continued his game

* Ruſhw. vol. vii. p. 326. † Burnet's memoirs of the Hamiltons.

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without interruption; and none of the bye ſtanders could perceive, that the letter, which he peruſed, had brought him news of any conſequence. The Engliſh commiſſioners, who, ſome days after, came to take him under their cuſtody, were admitted to kiſs his hands; and he received them with the ſame grace and chearfulneſs, as if they had travelled on no other errand, but to pay court to him. The old Earl of Pembroke in particular, who was one of them, he congratulated on his ſtrength and vigour, that he was ſtill able, during ſuch a ſeaſon, to perform ſo long a journey, in company with ſo many young people. Chap. IX. 1646.

THE King, being delivered over by the Scots to the Engliſh commiſſioners, was conducted, under a guard, to Holmby, in the county of Northampton. On his journey, the whole country flocked to behold him, moved partly by curioſity, partly by compaſſion and affection. If any ſtill retained rancour againſt him, in his preſent condition, they paſſed in ſilence; while his well-wiſhers, more generous than prudent, accompanied his march with tears, with acclamations, and with prayers for his ſafety *. That antient ſuperſtition, likewiſe, of deſiring the King's touch in ſcrophulous diſtempers, ſeemed to acquire freſh credit among the people, from the general tenderneſs which began to prevail for this virtuous and unhappy monarch. 1647. King delivering up by the Scots.

THE commiſſioners rendered his confinement at Holmby very rigorous; diſmiſſing all his antient ſervants, debarring him from all viſits, and cutting off all communication with his friends or family. The parliament, tho' earneſtly applied to by the King, refuſed to allow his chaplains to attend him; becauſe they had not taken the covenant. The King refuſed to aſſiſt at the ſervice, exerciſed according to the Directory; becauſe he had not, as yet, given his conſent to that mode of worſhip †. Such religious zeal prevailed on both ſides! And ſuch was the divided and diſtracted condition, to which it had reduced the King and people!

DURING the time, that the King remained in the Scots army at Newcaſtle, died the Earl of Eſſex, the diſcarded, but ſtill powerful and popular general of the parliament. His death, in this conjuncture, was a public misfortune. Fully ſenſible of the miſchievous extremities, to which affairs had been carried, and of the worſe conſequences, which were ſtill to be apprehended; he had reſolved to conciliate a peace, and to remedy, as far as poſſible, all thoſe ills, to which, from miſtake, rather than any bad intentions, he had himſelf ſo much contributed. The preſbyterian or the moderate party among the commons, found themſelves conſiderably weakened by his death: And the ſmall remains of authority, which ſtill adhered to the houſe of peers, were, in a manner, wholly extinguiſhed ‡.

* Ludlow, Herbert. † Clarendon, vol. v. p. 39. Warwick, p. 298.
‡ Clarendon, vol. v. p. 43.

CHAP.

CHAP. X.

Mutiny of the army.——The King ſeized by Joyce.——The army march againſt the parliament.——The army ſubdue the parliament.——The King flies to the iſle of Wight.——Second civil war.——Invaſion from Scotland.——The treaty of Newport.——The civil war and invaſion repreſſed.——The King ſeized again by the army.——The houſe purged.——The King's trial.——And execution.——And character.

1647. THE dominion of the parliament was of very ſhort duration. No ſooner had they ſubdued their ſovereign, than their own ſervants roſe up againſt them, and tumbled them from their ſlippery throne. The ſacred boundaries of the laws being once violated, nothing remained to confine the wild projects of zeal and ambition. And every ſucceſſive revolution became a precedent for that which followed it.

IN proportion as the terror of the King's power diminiſhed, the diviſions between independent and preſbyterian became every day more apparent; and the neuters found it, at laſt, requiſite to ſeek ſhelter in one or the other faction. Many new writs were iſſued for elections, in room of members, who had died, or were diſqualified for adhering to the King; yet ſtill the preſbyterians retained the ſuperiority among the commons: And all the peers, except Lord Say, were eſteemed of that party. The independents, to whom all the inferior ſectaries adhered, predominated in the army: And the troops of the new model were univerſally affected with that enthuſiaſtic ſpirit. To their aſſiſtance did the independent party, among the commons, chiefly truſt, in their projects for acquiring the aſcendant over their antagoniſts.

SOON after the retreat of the Scots, the preſbyterians, ſeeing every thing reduced to obedience, began to talk of diſmiſſing a conſiderable part of the army: And, on pretence of eaſing the public burthens, they levelled a deadly blow at the oppoſite faction. They propoſed to embark a ſtrong detachment, under Skippon and Maſſey, for the ſervice of Ireland: They openly declared their intention of making a great reduction of the remainder *. It was even imagined, that another new model of the army was projected, in order to regain to the preſbyterians, that ſuperiority, which they had ſo imprudently loſt by the former †.

* Fourteen thouſand men were only propoſed to be kept up; 6000 horſe, 6000 foot, and 2000 dragoons. Bates.

† Ruſhw. vol. vii. p. 564.

THE

Chap. X. 1647.

THE army had ſmall inclination to the ſervice of Ireland; a country barbarous, uncultivated, and laid waſte by maſſacres, and civil commotions: They had leſs inclination to diſband, and to renounce that pay, which, having earned it thro' fatigues and dangers, they now propoſed to enjoy in eaſe and tranquillity. And moſt of the officers, being raiſed from the dregs of the people, had no other proſpect, if deprived of their commiſſion, than that of returning to languiſh in their native poverty and obſcurity.

THESE motives of intereſt acquired additional influence, and became more dangerous to the parliament, from the religious ſpirit, by which the army was univerſally animated. Among the generality of men, educated in regular, civilized ſocieties, the ſentiments of ſhame, duty, honour, have conſiderable authority, and ſerve to counterbalance and direct the motives, derived from private advantage: But, by the predominancy of enthuſiaſm among the parliamentary forces, all theſe ſalutary principles loſt their credit, and were regarded as mere human inventions, yea moral inſtitutions, fitter for heathens than for chriſtians *. The ſaint, reſigned over to ſuperior guidance, was at full liberty to gratify all his appetites, diſguiſed under the appearance of pious zeal. And, beſides the ſtrange corruptions engendered by this ſpirit, it eluded and looſened all the ties of morality, and gave intire ſcope, and even ſanction to the ſelfiſhneſs and ambition, which naturally adhere to the human mind.

THE military confeſſors were farther encouraged in diſobedience to ſuperiors, by that ſpiritual pride, to which a miſtaken piety is ſo ſubject. They were not, they ſaid, mere janizaries; mercenary troops inliſted for hire, and to be diſpoſed of at the will of their paymaſters †. Religion and liberty were the motives, which had excited them to arms; and they had a ſuperior right to ſee thoſe bleſſings, which they had purchaſed with their blood, enſured to future generations. By the ſame title, that the preſbyterians, in contradiſtinction to the royaliſts, had appropriated to themſelves the epithet of the *godly*, or the *well-affected* ‡; the independents did now, in contradiſtinction to the preſbyterians, aſſume this magnificent appellation, and arrogate all the aſcendant, which naturally belongs to it.

HEARING of parties in the houſe of commons, and being informed, that the minority were friends to the army, the majority enemies; the troops naturally intereſted themſelves in that dangerous diſtinction, and were eager to give the ſuperiority to their partizans. Whatever hardſhips they underwent, tho' perhaps derived from inevitable neceſſity, were aſcribed to a ſettled deſign of oppreſſing them, and reſented as an effect of the animoſity and malice of their antagoniſts.

NOTWITHSTANDING the great revenue, which accrued from taxes, aſſeſſments, ſequeſtrations, and compoſitions, conſiderable arrears were due to the army; and

* Ruſhw. vol. vi. p. 134. † Ruſhw. vol. vii. p. 565. ‡ Ruſhw. vol. vii. p. 474.

Chap. X. 1647. many of the private men, as well as officers, had near a twelvemonth's pay ſtill owing them. The army ſuſpected, that this deficiency was purpoſely contrived, in order to oblige them to live on free quarter; and, by rendering them odious to the country, ſerve as a pretence for diſbanding them. When they ſaw ſuch members, as were employed in committees and civil offices, accumulate great fortunes, they accuſed them of rapine and public plunder. And, as no plan was pointed out by the commons for the payment of arrears, the ſoldiers dreaded, that, after they ſhould be diſbanded or embarked for Ireland, their enemies, who predominated in the two houſes, would intirely defraud them of their right, and oppreſs them with impunity.

Mutiny of the army. On this ground or pretence did the firſt commotions begin in the army. A petition, addreſſed to Fairfax the general, was handed about; deſiring an indemnity, and that ratified by the King, for any illegal actions, of which, during the courſe of the war, the ſoldiers might have been guilty; together with ſatisfaction in arrears, freedom from preſſing, relief of widows and maimed ſoldiers, and pay till diſbanded. The commons, aware of what combuſtible materials the army was compoſed, were alarmed at this intelligence. Such a combination, they knew, if not checked in its firſt appearance, muſt be attended with the moſt dangerous conſequences, and muſt ſoon exalt the military above the civil authority. Beſides

March 30. ſummoning ſome officers to anſwer for this attempt, they immediately voted, that the petition tended to introduce mutiny, to put conditions upon the parliament, and to obſtruct the relief of Ireland; and they threatened to proceed againſt the promoters of it, as enemies to the ſtate, and diſturbers of public peace. This declaration, which may be eſteemed violent, eſpecially as the army had ſome ground for complaint, produced very fatal effects. The ſoldiers lamented, That they were deprived of the privileges of Engliſhmen; that they were not allowed ſo much as to repreſent their grievances; that, while petitions from Eſſex and other places were openly encouraged againſt the army, their mouths were ſtopped; and that they, who were the authors of liberty to the nation, were reduced, by a faction in parliament, to the moſt grievous ſervitude.

In this diſpoſition was the army found by Warwic, Dacres, Maſſey and other commiſſioners; who were ſent to make them propoſals for entering into the ſervice of Ireland *. Inſtead of inliſting, the generality objected to the terms; demanded an indemnity; were clamorous for their arrears: And, tho' they expreſſed no diſſatisfaction againſt Skippon, who was appointed commander, they diſcovered much ſtronger inclination to ſerve under Fairfax and Cromwel †. Some officers, who were of the preſbyterian party, having entered into engagements for this ſervice, could prevail on very few of the ſoldiers to inliſt under them.

* Ruſhw. vol. vii. p. 457. † Ruſhw. vol. vii. p. 458.

And, as they all lay under the grievous reproach of deſerting the army, and betraying the intereſts of their companions; the reſt were farther confirmed in that confederacy, which they had formed *.

To petition and remonſtrate being the moſt cautious way of conducting a confederacy, an application to parliament was ſigned by near 200 officers; in which they made their apology with a very imperious air, aſſerted their right of petitioning, and complained of that imputation thrown upon them by the former declaration of the lower houſe †. The private men likewiſe of ſome regiments ſent a letter to Skippon; in which, together with inſiſting on the ſame topics, they lament, that deſigns were formed againſt them and many of the godly party in the kingdom; and declare, that they could not engage for Ireland, till they were ſatisfied in their expectations, and had their juſt deſires granted ‡. The army, in a word, felt their power, and reſolved to be maſters.

The parliament too reſolved, if poſſible, to preſerve their dominion; but, being deſtitute of power, and not retaining much authority, it was not eaſy for them to employ any expedient, which could contribute to their purpoſe. The expedient, which they now made uſe of, was the worſt imaginable. They ſent Skippon, Cromwel, Ireton, and Fleetwood, to the head-quarters at Saffron-Weldon in Eſſex; and empowered them to make offers to the army, and inquire into the cauſe of its *diſtempers*. Theſe very generals, at leaſt the three laſt, were ſecretly the authors of all the diſcontents; and failed not to foment thoſe diſorders, which they pretended to appeaſe. By their ſuggeſtion, a meaſure was embraced, which, at once, brought matters to extremity, and rendered the mutiny incurable. 7th of May.

In oppoſition to the parliament at Weſtminſter, a military parliament was formed. Together with a council of the principal officers, which was appointed after the model of the houſe of peers; a more free repreſentative of the army was compoſed, by the election of two private men or inferior officers, under the title of agitators, from each troop or company §. By this means, both the general humour of that time was gratified, intent on plans of imaginary republics; and an eaſy method contrived for conducting underhand, and propagating the ſedition of the army.

This terrible court, when aſſembled; having firſt declared, that they found no *diſtempers* in the army, but many *grievances*, under which it laboured; immediately voted the offers of the parliament unſatisfactory. Eight weeks pay alone, they ſaid, was promiſed; a ſmall portion of fifty-ſix weeks, which they pretended to be their due: No viſible ſecurity was given for the remainder: And having

* Ruſhw. vol. vii. p. 461, 556.
† Ruſhw. vol. vii. p. 468.
‡ Ruſhw. vol. vii. p. 474.
§ Ruſhw. vol. vii. p. 485. Clarendon, vol. v. p. 43.

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been declared public enemies by the commons, they might hereafter be profecuted as ſuch, unleſs the declaration was recalled *. Before matters came to this height, Cromwel had poſted up to London, on pretence of laying before the parliament the riſing diſcontents of the army.

THE parliament made one vigorous effort more, to try the force of their authority: They voted, that all the troops, which did not engage for Ireland, ſhould inſtantly be diſbanded in their quarters †. At the ſame time, the council of the army ordered a general rendezvous of all the regiments, in order to provide for their common intereſts. And while they thus prepared themſelves for oppoſition to the parliament, they ſtruck a blow, which at once decided the victory in their favour.

3d of June. The King ſeized by Joyce.

A party of five hundred horſe appeared at Holmby, conducted by one Joyce, who had once been a taylor by profeſſion; but was now advanced to the rank of cornet, and was an active agitator in the army. Without being oppoſed by the guard, whoſe affections were all on the ſame ſide; Joyce came into the King's preſence, armed with piſtols, and told him, that he muſt immediately go along with him. *Whither?* ſaid the King. *To the army*; replied Joyce. *By what warrant?* aſked the King. Joyce pointed to the ſoldiers, whom he brought along; tall, handſome, and well accoutered. *Your warrant*, ſaid Charles ſmiling, *is wrote in fair characters, legible without ſpelling* ‡. The parliamentary commiſſioners came into the room: They aſked Joyce, whether he had any orders from the parliament? He ſaid, *No:* From the general? *No:* By what authority he came? He made the ſame reply as to the King: *They would write*, they ſaid, *to the parliament to know their pleaſure. You may do ſo*, replied Joyce; *but in the mean time the King muſt immediately go with me.* Reſiſtance was vain. The King, after protracting the time as long as he could, went into his coach; and was ſafely conducted to the army, who were haſtening to their rendezvous at Triplo Heath near Cambridge. The parliament, informed of this event by their commiſſioners, were thrown into the utmoſt conſternation §.

FAIRFAX himſelf was no leſs ſurprized at the King's arrival. That bold meaſure, executed by Joyce, had never been communicated to the general. The orders were intirely verbal; and no body avowed them. And, while every one affected aſtoniſhment at the enterprize, Cromwel, by whoſe council it had been directed, arrived from London, and put an end to their deliberations.

THIS artful and audacious conſpirator had conducted himſelf in the parliament with ſuch profound diſſimulation, with ſuch refined hypocriſy, that he had long deceived thoſe, who, being themſelves very dextrous practitioners in the ſame

* Ruſhw. vol. vii. p. 497, 505. Whitlocke, p. 250. † Ruſhw. vol. vii. p. 487.
‡ Whitlocke, p. 254. Warwick, p. 299.
§ Ruſhw. vol. vii. p. 514, 515. Clarendon, vol. v. p. 47.

arts,

arts, naturally entertained the more ſuſpicion againſt others. At every intelligence of diſorders in the army, he was moved to the higheſt pitch of grief and of anger. He wept bitterly: He lamented the misfortunes of his country: He adviſed every violent meaſure for ſuppreſſing the mutiny; and by theſe precipitant councils, at once ſeemed to evince his own ſincerity, and inflamed thoſe diſcontents, of which he intended to make advantage. He obteſted heaven and earth, that his devoted attachment to the parliament had rendered him ſo odious in the army, that his life, while among them, was in the utmoſt danger; and he had very narrowly eſcaped a conſpiracy, formed to aſſaſſinate him. But information being brought, that the moſt active officers and agitators were intirely his creatures, the parliamentary leaders ſecretly reſolved, that, next day, when he came to the houſe, an accuſation ſhould be entered againſt him, and he ſhould be ſent to the Tower *. Cromwel, who, in the conduct of his deſperate enterprizes, frequently approached to the very brink of deſtruction, knew how to make the requiſite turn with proper dexterity and boldneſs. Being informed of this deſign, he haſtened to the camp; where he was received with acclamations of joy, and was inſtantly inveſted with the ſupreme command both of general and army. Chap. X. 1647.

FAIRFAX, having neither talents himſelf for cabals, nor penetration to diſcover the cabals of others, had given his confidence intirely to Cromwel; who, by the beſt coloured pretences, and by the appearance of an open ſincerity and a ſcrupulous conſcience, impoſed on the eaſy nature of this brave and virtuous man. The council of officers and the agitators were moved altogether by Cromwel's direction, and conveyed his will to the whole army. By his profound and artful conduct, he had now attained a ſituation, where he could cover his enterprizes from public view; and ſeeming either to obey the commands of his ſuperior officer, or yield to the movements of the ſoldiers, could ſecretly pave the way for his future greatneſs. While the diſorders of the army were yet in their infancy, he kept at a diſtance; leſt his counterfeit averſion might throw a damp upon them, or his ſecret encouragement beget ſuſpicion in the parliament. As ſoon as they came to maturity, he openly joined the army; and in the critical moment, ſtruck that important blow of ſeizing the King's perſon, and depriving the parliament of any reſource by an accommodation with him. Tho' one vizor fell off, another ſtill remained, to cover his natural countenance. Where delay was requiſite, he could employ the moſt indefatigable patience: Where celerity was neceſſary, he flew to a deciſion. And by thus uniting in his perſon the moſt oppoſite talents, he was enabled to combine the moſt contrary intereſts in a ſubſerviency to his ſecret purpoſes.

THE parliament, tho' at preſent defenceleſs, were poſſeſſed of many reſources; and time might eaſily enable them to reſiſt that violence, with which they were threaten- The army march againſt the parliament.

* Clarendon, vol. v. p. 46.

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threatened. Without farther deliberation, therefore, Cromwel advanced the army upon them, and arrived in a few days at St. Albans.

NOTHING could be more popular, than this hoſtility, which the army commenced againſt the parliament. As much as that aſſembly was once the idol of the nation, as much was it now become the object of general hatred and averſion.

THE ſelf-denying ordinance had no longer been put in execution, than till Eſſex, Mancheſter, Waller, and the other officers of that party, had reſigned their commiſſion: Immediately after, it was laid aſide by tacit conſent; and the members, ſharing all offices of power and profit among them, proceeded with impunity in exerciſing acts of oppreſſion on the helpleſs nation. Tho' the neceſſity of their ſituation might ſerve as an apology for many of their meaſures, the people, not accuſtomed to ſuch a ſpecies of government, were not diſpoſed to make the requiſite allowances.

A SMALL ſupply of 100,000 pounds a-year could ſcarce be obtained by the former kings from the jealous humour of the parliaments; and the Engliſh, of all nations in Europe, were the leaſt accuſtomed to taxes: But this parliament, from the commencement of the war, according to ſome computations, had levied, in five years, above forty millions *; and yet were loaded with debts and incumbrances, which, during that age, were regarded as prodigious. If theſe computations ſhould be thought much exaggerated, as they probably are, the taxes and impoſitions were certainly far higher than in any former ſtate of the Engliſh government; and ſuch popular exaggerations are, at leaſt, a proof of popular diſcontents.

BUT the diſpoſal of this money was no leſs the object of general complaint againſt the parliament than the levying it. The ſum of 300,000 pounds they openly took, 'tis affirmed †, and divided among their own members. The committees, to whom the management of the different branches of revenue was entruſted, never brought in their accounts, and had unlimited power of ſecreting whatever ſums they pleaſed from the public treaſure ‡. Theſe branches were needleſsly multiplied, in order to render the revenue more perplexed, to ſhare the advantages among greater numbers, and to conceal the frauds of which they were univerſally ſuſpected §.

* Clement Walker's hiſtory of the two Juntos, prefixed to his hiſtory of independency, p. 8. This is an author of ſpirit and ingenuity; and being a zealous parliamentarian, his authority is very conſiderable, notwithſtanding the air of ſatyre, which prevails in his writings. This computation, however, ſeems much too large: eſpecially as the ſequeſtrations, during the time of war, could not be ſo conſiderable as afterwards.

† Clement Walker's hiſtory of independency, p. 3. 166. ‡ Id. p. 8. § Id. ibid.

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THE method of keeping accounts, practiſed in the exchequer, was confeſſedly the exacteſt, the moſt antient, the beſt known, and the leaſt liable to fraud. The exchequer was, for that reaſon, aboliſhed, and the revenue put under the management of a committee, who were ſubject to no controul *.

THE exciſe was an odious tax, formerly unknown to the nation; and was now extended over proviſions, and the common neceſſaries of life. Near one half of the goods and chattels, and at leaſt one half of the lands, rents, and revenues of the kingdom, had been ſequeſtred. To great numbers of royaliſts, all redreſs from theſe ſequeſtrations was refuſed: To the reſt, the remedy could be obtained only by paying large compoſitions and ſubſcribing the covenant; which they abhorred. Beſides the ruin and deſolation of ſo many antient and honourable families; indifferent ſpectators could not but blame the hardſhip of puniſhing with ſuch ſeverity, actions, which the law, in its uſual and moſt undiſputed interpretation, ſtrictly required of every ſubject.

THE ſeverities too, exerciſed againſt the epiſcopal clergy, naturally affected the royaliſts, and even all men of candor, in a ſenſible manner. By the moſt moderate computation †, it appears, that above one half of the eſtabliſhed clergy had been turned out to beggary and want, for no other crime than their adherence to the civil and religious principles, in which they were educated; and for their attachment to thoſe laws, under whoſe countenance they had at firſt embraced that profeſſion. To renounce epiſcopacy and the liturgy, and to ſubſcribe the covenant, were the only terms, which could ſave them from ſo rigorous a fate; and if the leaſt mark of malignancy, as it was called, or affection to the King, who ſo entirely loved them, had ever eſcaped their lips, even this hard choice was not permitted. The ſacred character, which gives the prieſthood ſuch authority over mankind, becoming more venerable from the ſufferings, endured for the ſake of principle, by theſe diſtreſſed royaliſts, aggravated the general indignation againſt their perſecutors, who had robbed them of poſſeſſions, ſecured to them by every law, human and divine, with which the nation had hitherto been acquainted.

BUT what excited the moſt univerſal complaint was, the unlimited tyranny and deſpotic rule of the country-committees. During the war, the diſcretionary power of theſe courts was excuſed, from the plea of neceſſity: But the nation was reduced to deſpair, when it ſaw neither end put to their duration, nor bounds to their authority. Theſe could ſequeſter, fine, impriſon, and corporally pu-

* Clement Walker's hiſtory of independency, p. 8.

† See John Walker's attempt towards recovering an account of the numbers and ſufferings of the clergy. The parliament pretended to leave the ſequeſtered clergy a fifth of their revenue; but this author makes it ſufficiently appear, that this proviſion, ſmall as it is, was never regularly paid the ejected clergy.

niſh,

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niſh, without law or remedy. They interpoſed in queſtions of private property. Under colour of malignancy, they exerciſed vengeance againſt their private enemies. To the obnoxious, and ſometimes to the innocent, they ſold their protection. And inſtead of one ſtar-chamber, which had been aboliſhed, a great number were anew erected, fortified with better pretences, and armed with more unlimited authority *.

COULD any thing have increaſed the indignation againſt that ſlavery, into which the nation, from the too eager purſuit of liberty, had fallen; it muſt have been the reflection on the pretences, by which the people had ſo long been deluded. The ſanctified hypocrites, who called their oppreſſions the ſpoiling the Egyptians, and their rigid ſeverity the dominion of the Elect, interlarded all their iniquities with long and fervent prayers, ſaved themſelves from bluſhing by their pious grimaces, and exerciſed, in the name of the Lord, all their cruelty on men. An undiſguiſed violence could be forgiven: But ſuch a mockery of the underſtanding, ſuch an abuſe of religion, were, with men of penetration, objects of peculiar reſentment.

THE parliament, conſcious of their decay in popularity, ſeeing a formidable armed force advance upon them, were reduced to deſpair, and found all their reſources much inferior to the preſent neceſſity. London ſtill retained a ſtrong attachment to preſbyterianiſm; and its militia, which was numerous, and had acquired reputation in the wars, had, by a late ordinance, been put into hands, in whom the parliament could intirely confide. This militia were now called out, and ordered to guard the line, which had been drawn about the city, in order to ſecure it againſt the King. A body of horſe was ordered to be inſtantly levied. Many officers, who had been caſhiered by the new model of the army, offered their ſervice to the parliament. An army of 5000 men lay in the north under the command of General Pointz, who was of the preſbyterian faction; but theſe were too diſtant to be employed in ſo urgent a neceſſity. The forces, deſtined for Ireland, were quartered in the weſt; and, tho' deemed faithful to the parliament, they alſo lay at a diſtance. Many inland garriſons were commanded by officers of the ſame party; but their troops, being ſo much diſperſed, could, at preſent, be of no manner of ſervice. The Scots were faithful friends and zealous for preſbytery and the covenant; but a very long time was required, ere they could collect their forces, and march to the aſſiſtance of the parliament.

* Clement Walker's hiſtory of independency, p. 5. Hollis gives the ſame repreſentation, as Walker, of the plundering, oppreſſions, and tyranny of the parliament: Only, inſtead of laying the fault on both parties, as Walker does, he aſcribes it ſolely to the independent faction. The preſbyterians indeed, being commonly denominated the *moderate* party, would probably be more inoffenſive. See Ruſhw. vol. vii. p. 598.

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In this ſituation it was thought more prudent to ſubmit, and by compliance to ſtop the fury of the enraged army. The declaration, by which the military petitioners had been voted public enemies, was recalled, and erazed from the journal book *. This was the firſt ſymptom which the parliament gave of ſubmiſſion; and the army, hoping, by terror alone, to effect all their purpoſes, ſtopped at St. Albans, and entered into negotiation with their maſters.

Here commenced the encroachments of the military upon the civil authority. The army, in their uſurpations on the parliament, copied exactly the model, which the parliament had ſet them, in their recent uſurpations on the crown.

Every day, they roſe in their demands. If one claim was granted, they had another ready, ſtill more enormous and exorbitant; and were determined never to be ſatisfied. At firſt, they pretended only to petition for what concerned themſelves as ſoldiers: Next, they muſt have a vindication of their character: Then, it was neceſſary, that their enemies be puniſhed †: At laſt, they claimed a right of modeling the whole government, and ſettling the nation ‡.

They preſerved, in words, all deference and reſpect to the parliament; but in reality, inſulted them and tyrannized over them. That aſſembly they pretended not to accuſe: It was only evil counſellors, who ſeduced and betrayed it.

16th of June.

They proceeded ſo far as to name eleven members, whom, in general terms, they charged with high treaſon, as enemies to the army and evil counſellors to the parliament. Their names were Hollis, Sir Philip Stapleton, Sir William Lewis, Sir John Clotworthy, Sir William Waller, Sir John Maynard, Maſſey, Glyn, Long Harley, and Nichols §. Theſe were the very leaders of the preſbyterian party.

They inſiſted, that theſe members ſhould immediately be ſequeſtred from parliament, and be thrown into priſon ‖. The commons replied, that they could not, upon a general charge, proceed ſo far **. The army obſerved to them, that the caſes of Strafford and Laud were direct precedents for that purpoſe ††. At laſt, the eleven members themſelves, not to give occaſion to diſcord, begged leave to retire from the houſe; and the army, for the preſent, ſeemed ſatisfied with this proof of ſubmiſſion ‡‡.

* Ruſhw. vol. vii. p. 503. 547. Clarendon, vol. v. p. 45.
† Ruſhw. vol. vii. p. 509. ‡ Ibid. p. 567. 633. Vol. viii. p. 731.
§ Ruſhw. vol. vii. p. 570. ‖ Ibid. p. 572. ** Ibid. p. 592.
†† Ruſhw. vol. vii. p. 594. Whitlocke, p. 259.
‡‡ Ruſhw. vol. vii. p. 593, 594.

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PRETENDING, that the parliament designed to levy war upon them, and to involve the nation again in blood and confusion, they required, that all new levies should be stopped. The parliament complied with this demand *.

THERE being no signs of resistance, the army, in order to save appearances, removed, at the desire of the parliament, to a greater distance from London, and fixed their head quarters at Reading. They carried the King along with them in all their removes.

THAT Prince now found himself in a better situation than at Holmby, and had attained some greater degree of freedom, as well as of consideration with both parties.

ALL his friends had access to him: His correspondence with the Queen was not interrupted: His chaplains were restored, and he was allowed the use of the liturgy: His children were once allowed to visit him, and passed a few days at Caversham, where he then resided †. He had not seen the Duke of Gloceſter, his youngest son, and the Princess Elizabeth, since he left London, at the commencement of the civil disorders; nor the Duke of York, since he went to the Scots army before Newark. No private man, unacquainted with the pleasures of a court, and the tumult of a camp, more passionately loved his family, than did this good Prince; and such an instance of indulgence in the army was extremely grateful to him. Cromwel, who was witness to the meeting of the royal family, confessed, that he never had been present at so tender a scene; and he extremely applauded the benignity, which displayed itself in the whole disposition and behaviour of Charles.

THAT artful politician, as well as the leaders of all parties, payed court to the King; and fortune, notwithstanding all his calamities, seemed again to smile upon him. The parliament, afraid of his forming some accommodation with the army, spoke to him in a more respectful style than formerly; and invited him to reside at Richmond, and contribute his assistance to the settlement of the nation. All the chief officers treated him with great regard, and talked every where of restoring him to his just powers and prerogatives. In the public declarations of the army, the settlement of his revenue and authority was insisted on ‡. The royalists, every where, entertained hopes of the restoration of monarchy; and the favour, which they universally bore the army, contributed very much to discourage the parliament, and to forward their submission.

THE King began to feel of what consequence he was. The more the national confusions increased, the more was he confident, that all parties would, at last,

* Rushw. vol. vii. p. 572. 574.
† Clarendon, vol. i. p. 51, 52. 57.
‡ Rushw. vol. vii. p. 590.

have

have recourſe to his lawful authority, as the only remedy for the public diſorders. *You cannot be without me*, ſaid he, on ſeveral occaſions: *You cannot compoſe the nation but by my aſſiſtance.* A people without government and without liberty, a parliament without authority, an army without a legal maſter: Diſtractions every where, terrors, oppreſſions, convulſions: From this ſcene of confuſion, which could not long continue, all men, he hoped, would be brought to reflect on that antient government, under which they and their anceſtors had ſo long enjoyed happineſs and tranquillity.

THO' Charles kept his ears open to all propoſals, and expected to hold the balance between the oppoſite parties, he entertained more hopes of accommodation with the army. He had experienced the extreme rigour of the parliament. They pretended totally to annihilate his authority: They had confined his perſon. In both theſe particulars, the army ſhowed more indulgence *. None of his friends were debarred his preſence. And in the propoſals, which the council of officers ſent for the ſettlement of the nation, they inſiſted neither on the abolition of epiſcopacy, nor on the puniſhment of the royaliſts; the two points to which the King had the moſt extreme reluctance: And they demanded that a period ſhould be put to the preſent parliament, the event for which he moſt ardently longed.

HIS conjunction too ſeemed more natural with the generals, than with that uſurping aſſembly, who had ſo long aſſumed the entire authority of the ſtate, and who had declared their reſolution ſtill to continue maſters. By gratifying a few perſons with titles and preferments, he might draw over, he hoped, the whole military power, and, in an inſtant, reinſtate himſelf in his civil authority. To Ireton he offered the lieutenancy of Ireland: To Cromwel, the garter, the title of Earl of Eſſex, and the command of the army. Negotiations to this purpoſe were ſecretly conducted. Cromwel pretended to hearken to them; and was pleaſed to keep the door open for an accommodation, if the courſe of events ſhould, at any time, render it neceſſary. And the King, who had no ſuſpicion, that one, born a private gentleman, could entertain the daring ambition of ſeizing a ſceptre, tranſmitted thro' a long line of monarchs; indulged hopes, that he would, at laſt, embrace a meaſure, which, by all the motives of duty, intereſt, and ſafety, ſeemed to be recommended to him.

WHILE Cromwel allured the King by theſe expectations, he ſtill continued his ſcheme of reducing the parliament to ſubjection, and depriving them of all means of reſiſtance. To gratify the army, the parliament inveſted Fairfax with the title of general in chief of all the forces in England and Ireland; and entruſted the whole military authority to a perſon, who, tho' well inclined to their ſervice, was no longer at his own diſpoſal.

* Warwick, p. 303.

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THEY voted, that the troops, which, in obedience to them, had inliſted for Ireland, and deſerted the rebellious army, ſhould be diſbanded, or, in other words, be puniſhed for their fidelity. The forces in the north, under Pointz, had already mutinied againſt their general, and had entered into an aſſociation with that body of the army, which was ſo ſucceſsfully employed in exalting the military above the civil authority *.

THAT no reſource might remain to the parliament, it was demanded, that the militia of London ſhould be changed, the preſbyterian commiſſioners diſplaced, and the command reſtored to thoſe, who, during the courſe of the war, had conſtantly exerciſed it. The parliament even complied with ſo violent a demand, and paſſed a vote in obedience to the army †.

BY this unlimited patience, they propoſed to temporize under their preſent difficulties, and they hoped to find a more favourable opportunity for recovering their authority and influence: But the impatience of the city loſt them all the advantage of their cautious meaſures. A petition againſt the alteration of the militia was carried to Weſtminſter, attended by the apprentices and ſeditious multitude, who beſieged the door of the commons; and by their clamour, noiſe, and violence, obliged them to reverſe that vote, which they had paſſed ſo lately. When gratified in this pretenſion, they immediately diſperſed, and left the parliament at liberty ‡.

20th of July.

No ſooner was intelligence of this tumult conveyed to Reading, than the army were put in motion. The two houſes being under reſtraint, they were reſolved, they ſaid, to vindicate, againſt the ſeditious citizens, the invaded privileges of parliament, and reſtore that aſſembly to its juſt freedom of debate and council. In their way to London, they were drawn up on Hounſlow Heath; a formidable army, twenty thouſand ſtrong, and determined, without regard to laws or liberty, to purſue whatever meaſures their generals ſhould dictate to them. Here the moſt favourable event happened, to quicken and encourage their advance. The ſpeakers of the two houſes, Mancheſter and Lenthal, attended with eight peers, and about ſixty commoners, having ſecretly retired from the city, preſented themſelves with their maces and all the enſigns of their dignity; and complaining of the violence put upon them, applied to the army for defence and protection. They were received with ſhouts and acclamations: Reſpect was paid them as to the parliament of England: And the army being provided of ſo plauſible a pretence, which, in all public tranſactions, is of great conſequence, advanced to chaſtiſe the rebellious city, and to re-inſtate the violated parliament §.

* Ruſhw. vol. vii. p. 620. † Ibid. p. 629. 632.

‡ Ruſhw. vol. vii. p. 641. 643. Clarendon, vol. v. p. 61. Whitlocke, p. 263. Cl. Walker, p. 38. § Ruſhw. vol. viii. p. 750. Clarendon, vol. v. p. 63.

NEI-

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NEITHER Lenthal nor Mancheſter were eſteemed independents; and ſuch a ſtep in them was intirely unexpected. But they probably foreſaw, that the army muſt, in the end, prevail, and they were willing to pay court in time to that authority, which began to predominate in the nation.

THE parliament, forced from their temporizing meaſures, and obliged to reſign, at once, or combat for their liberty and power, prepared themſelves with vigour for defence, and determined to reſiſt the violence of the army. The two houſes immediately choſe new ſpeakers, Lord Hunſdon, and Henry Pelham: They renewed their former orders for inliſting troops: They appointed Maſſey to be commander: They ordered the trained bands to mann the lines: And the whole city was in a ferment, and reſounded with military preparations *.

WHEN any intelligence arrived, that the army ſtopped or retreated, the ſhout of *One and all*, ran with alacrity, from ſtreet to ſtreet, among the citizens: When news came of their advancing, the cry of *Treat and capitulate*, was no leſs loud and vehement †. The terror of an univerſal pillage, and even maſſacre, had ſeized the timid inhabitants.

AS the army approached, Rainſborow, being ſent by the general over the river, preſented himſelf before Southwark, and was gladly received by ſome ſoldiers, who were quartered there for its defence, and who were reſolved not to ſeparate their intereſts from thoſe of the army. It behoved then the parliament to ſubmit. The army marched in triumph thro' the city; but preſerved the greateſt order, decency, and appearance of humility. They conducted to Weſt- 6th of Aug.
minſter the two ſpeakers, who took their ſeats as if nothing had happened. The eleven impeached members, being accuſed as cauſes of the tumult, were expelled; and moſt of them retired beyond ſea: Seven peers were impeached: The mayor, one ſherriff, and three aldermen, ſent to the Tower: Several citizens and officers of the militia, committed to priſon: Every deed of the parliament annulled, from the day of the tumult till the return of the ſpeakers: The lines about the city levelled: The militia reſtored to the independents: Regiments quartered in Whitehall and the Meuſe: And the parliament being reduced to a regular formed ſervitude, a day was appointed of ſolemn thankſgiving to God for the reſtoration of its liberty ‡.

The army ſubdue the parliament.

THE independent party exulted in their victory. The whole authority of the nation, they imagined, was lodged in their hands; and they had a near proſpect of moulding the government into that imaginary republic, which had long been the object of their wiſhes. They had ſecretly concurred in all encroachments of the military power; and they expected, by the terror of the ſword, to impoſe a more perfect ſyſtem of liberty on the reluctant nation. All parties, the

* Ruſhw. vol. vii. p. 646. † Whitlocke, p. 265.

‡ Ruſhw. vol. viii. p. 797, 798, &c.

king,

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king, the church, the parliament, the preſbyterians, had been guilty of errors, ſince the commencement of theſe diſorders: But it muſt be confeſſed, that this deluſion of the independents and republicans was, of all others, the moſt contrary to common ſenſe and the eſtabliſhed maxims of policy. Yet were the leaders of that party, Vane, Fiennes, St. John, Martin, the men in England the moſt celebrated for profound thought and deep contrivance; and by their well-coloured pretences and profeſſions, they had over-reached the whole nation. To deceive ſuch men would argue a ſuperlative capacity in Cromwel; were it not, that, beſides the great difference there is between dark, crooked councils and true wiſdom, an exorbitant paſſion for rule and authority will make the moſt prudent overlook the dangerous conſequences of ſuch meaſures as ſeem to tend, in any degree, to their own advancement.

THE leaders of the army, having eſtabliſhed their dominion over the parliament and city, ventured to bring the King to Hampton-Court; and he lived, for ſome time, in that palace, with an appearance of dignity and freedom. Such admirable equability of temper did he poſſeſs, that, during all the variety of fortune, which he underwent, no difference was perceived in his countenance or behaviour; and tho' a priſoner, in the hands of his moſt inveterate enemies, he ſupported, towards all who approached him, the majeſty of a monarch; and that, neither with leſs nor greater ſtate, than what he had been accuſtomed to maintain. His manner, which was not in itſelf popular nor gracious, now appeared amiable, from its great meekneſs and equality.

THE parliament renewed their applications to him, and preſented him with the conditions, which they had offered at Newcaſtle. The King declined accepting them, and deſired the parliament to take the propoſals of the army into conſideration, and make them the foundation of the public ſettlement *. He ſtill entertained hopes, that his negotiations with the generals would be crowned with ſucceſs; tho' every thing, in that particular, bore daily a worſe aſpect. Moſt hiſtorians have thought, that Cromwel never was ſincere in his profeſſions; and that, having, by force, rendered himſelf maſter of the King's perſon, and, by fair pretences, acquired the countenance of the royaliſts, he had employed theſe advantages to the enſlaving the parliament: And afterwards thought of nothing but the eſtabliſhment of his own unlimited authority, with which he eſteemed the reſtoration, and even life of the King, altogether incompatible. This opinion, ſo much warranted by the exorbitant ambition and profound diſſimulation of his character, meets with ready belief; tho' 'tis more agreeable to the narrowneſs of human views, and the darkneſs of futurity, to ſuppoſe, that this daring uſurper was guided by events, and did not, as yet, foreſee, with any aſſurance, that unparalleled greatneſs, which he afterwards attained. Many writers

* Ruſhw. vol. viii. p. 810.

of that age have aſſerted *, that he really intended to make a private bargain Chap. X. 1647.

* Salmonet, Ludlow, Hollis, &c. all theſe, eſpecially the laſt, being the declared inveterate enemies of Cromwel, are the more to be credited, when they advance any fact, which may ſerve to apologize for his violent and criminal conduct. There prevails a ſtory, that Cromwel intercepted a letter, wrote to the Queen, where the King ſaid, that he would firſt raiſe and then deſtroy Cromwel. But, beſides that this conduct ſeems to contradict the character of the King, it is, on other accounts, totally unworthy of credit. It is firſt told by Roger Coke, a very paſſionate and fooliſh hiſtorian, who wrote too ſo late as the revolution, and who mentions it only as a rumour. In the memoirs of Lord Broghill, we meet with another ſtory of an intercepted letter, which deſerves ſome more attention, and agrees very well with the narration here given. It is thus related by Mr. Maurice, chaplain to Roger Earl of Orrery. "Lord Orrery, in the time of his greatneſs with Cromwel, juſt after he "had ſo ſeaſonably relieved him in his great diſtreſs at Clonmell, riding out of Youghall one day "with him and Ireton, they fell into diſcourſe about the King's death. Cromwel thereupon ſaid "more than once, that if the King had followed his own judgment, and had been attended by "none but truſty ſervants, he had fooled them all; and that once they had a mind to have cloſed with "him, but, upon ſomething that happened, fell off from that deſign. Orrery finding them in good "humour, and being alone with them, aſked if he might preſume to deſire to know, why they would "once have cloſed with his Majeſty, and why they did not. Cromwel very freely told him, he would "ſatisfy him in both his queries. The reaſon (ſays he) why we would have cloſed with the King "was this: We found that the Scots and preſbyterians began to be more powerful than we, and were "likely to agree with him, and leave us in the lurch. For this reaſon we thought it beſt to prevent "them by offering firſt to come in upon reaſonable conditions: But whilſt our thoughts were taken "up with this ſubject, there came a letter to us from one of our ſpies, who was of the King's bed-"chamber, acquainting us, that our final doom was decreed that very day; that he could not poſſibly "learn what it was, but we might diſcover it, if we could but intercept a letter ſent from the King "to the Queen, wherein he informed her of his reſolution; that this letter was ſowen up in the "ſkirt of a ſaddle, and the bearer of it would come with the ſaddle upon his head, about ten of the "clock that night, to the Blue Boar in Holbourn, where he was to take horſe for Dover. The "meſſenger knew nothing of the letter in the ſaddle, tho' ſome in Dover did. We were at Wind-"ſor (ſaid Cromwel) when we received this letter, and immediately upon the receipt of it, Ireton "and I reſolved to take one truſty fellow with us, and to go in troopers habits to that inn. We "did ſo; and leaving our man at the gate of the inn, (which had a wicket only open to let perſons "in and out) to watch and give us notice when any man came in with a ſaddle, we went into a "drinking-ſtall. We there continued, drinking cans of beer, till about ten of the clock, when our "centinel at the gate gave us notice, that the man with the ſaddle was come. We roſe up preſently, "and juſt as the man was leading out his horſe ſadd'ed, we came up to him with drawn ſwords, and "told him, we were to ſearch all that went in and out there; but as he looked like an honeſt man, "we would only ſearch his ſaddle and ſo diſmiſs him. The ſaddle was ungirt, we carried it into the "ſtall, where we had been drinking, and ripping open one of the ſkirts, we there found the letter "we wanted. Having thus got it into our hands, we delivered the man (whom we had left with "our centinel) his ſaddle, told him he was an honeſt fellow, and bid him go about his buſineſs; "which he did, purſuing his journey without more ado, and ignorant of the harm he had ſuffered. "We found in the letter, that his Majeſty acquainted the Queen, that he was courted by both "faction, the Scots preſbyterians and the army; and that thoſe which bade the faireſt for him "ſhould have him; but yet he thought he ſhould cloſe with the Scots ſooner than with the other. "Upon this we returned to Windſor; and finding we were not like to have good terms from the "King, we from that time vowed his deſtruction." 'This relation ſuiting well enough with other 'paſſages and circumſtances at this time, I have inſerted to gratify the reader's curioſity.' Carte's Ormond, vol. ii. p. 12.

with

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with the King; a meaſure, which carried the moſt plauſible appearance both for his ſafety and advancement: But that he found inſuperable difficulties in reconciling to it the wild humours of the army. The horror and antipathy of theſe fanatics had, for many years, been artfully fomented againſt Charles; and tho' their principles were, on all occaſions, eaſily warped and eluded by private intereſt, yet was ſome colouring requiſite, and a flat contradiction to all former profeſſions and tenets could not ſafely be propoſed to them. 'Tis certain, at leaſt, that Cromwel made uſe of this reaſon, why he admitted rarely of viſits from the King's friends, and ſhowed leſs favour than formerly to the royal cauſe. The agitators, he ſaid, had rendered him odious to the army, and had repreſented him as a traitor, who, for the ſake of private intereſt, was ready to betray the cauſe of God to the great enemy of piety and religion. Deſperate projects too, he aſſerted to be ſecretly formed, for the murder of the King; and he pretended much to dread leſt all his authority, and that of the commanding officers, would not be able to reſtrain theſe enthuſiaſts from their bloody purpoſes *.

INTELLIGENCE being daily brought to the King of menaces thrown out by the agitators; he began to think of retiring from Hampton-Court, and of putting himſelf in ſome place of ſafety. The guards were doubled upon him: The promiſcuous concourſe of people reſtrained: A more jealous care exerted in attending his perſon: All, under colour of protecting him from danger; but really with a view of making him uneaſy in his preſent ſituation. Theſe artifices ſoon operated the intended effect. Charles, who was naturally apt to be ſwayed by council, and who had not then acceſs to any good council, took ſuddenly a reſolution of withdrawing himſelf, tho' without any concerted, at leaſt, any rational ſcheme, for the future diſpoſal of his perſon. Attended only by Sir John
11th of Nov. Berkeley, Aſhburnham, and Leg, he privately left Hampton-Court; and his eſcape was not diſcovered, till near an hour after; when thoſe, who entered his chamber, found on the table ſome letters directed to the parliament, to the general, and to the officer, who had attended him †. All night, he travelled thro' the foreſt, and arrived next day at Tichfield, a ſeat of the Earl of Southampton, where the Counteſs dowager reſided, a woman of great honour, to whom, the King knew, he might ſafely entruſt his perſon. Before he arrived at this place, he had gone to the ſea-coaſt; and expreſſed great anxiety, that a ſhip, which he ſeemed to look for, had not arrived; and from thence, Berkeley and Leg, who were not in the ſecret, conjectured, that his intention was to tranſport himſelf beyond ſea.

King flies to the iſle of Wight.

THE King could not hope to remain long concealed at Tichfield: What meaſure ſhould be next embraced, was the queſtion. In the neighbourhood lay the

* Clarendon, vol. v. p. 76. † Ruſhw, vol. viii. p. 871.

isle of Wight, of which Hammond was governor. This man was intirely dependent on Cromwel. At his recommendation he had married a daughter of the famous Hambden, who, during his life-time, had been an intimate friend of Cromwel, and whose memory was ever religiously respected by him. These circumstances were very unfavourable: Yet, because the governor was nephew to Dr. Hammond, the King's favourite chaplain, and had acquired a good character in the army, it was thought proper to have recourse to him, in the present exigence, when no other rational expedient could be thought of. Ashburnham and Berkeley were dispatched to the island. They had orders not to inform Hammond of the place, where the King lay concealed, till they had first obtained a promise of him not to deliver up his Majesty, tho' the parliament and army should require him; but to restore him to his liberty, if he could not defend him. This promise, it is evident, would have been a very slender security: Yet even without exacting it, Ashburnham, imprudently, if not treacherously, brought Hammond to Tichfield; and the King was obliged to put himself into his hands, and to attend him to Carisbroke-castle in the isle of Wight, where, tho' received with great demonstrations of respect and duty, he was in reality a prisoner. Chap. X. 1647.

Lord Clarendon * is positive, that the King, when he fled from Hampton-Court, had no intention of going to this island; and indeed, all the circumstances of that historian's narrative, which we have here followed, strongly favour this opinion. But there remains a letter of Charles to the Earl of Laneric, secretary of Scotland; in which he plainly intimates, that that measure was voluntarily embraced, and even insinuates, that, if he had thought proper, he might have been in Jersey, or any other place of safety †. Perhaps, he still confided in the promises of the generals; and flattered himself, that, if he were removed from the fury of the agitators, by which his life was immediately threatened, they would execute what they had so often promised in his favour.

Whatever may be the truth in this matter; for it is impossible fully to ascertain the truth; Charles was never guilty of a weaker step, nor one more agree-

* Page 79, 80, &c.

† These are the words: "Laneric; I wonder to hear (if that be true) that some of my friends "say, that my going to Jersey would much more have furthered my personal treaty, than my coming "hither, for which, as I see no colour of reason, so I had not been here, if I had thought that fancy true, or had not been secured of a personal treaty; of which I neither do, nor I hope will repent: For I am daily more and more satisfied with the governor, and find these islanders very good, "peaceable and quiet people. This encouragement I have thought not unfit for you to receive, hoping at least it may do good upon others, tho' needless to you." Burnet's Memoirs of Hamilton, p. 326. See also Rushworth, part 4. vol. ii. p. 941. All the writers of that age, except Clarendon, represent the King's going to the isle of Wight as voluntary and intended. Perhaps the King thought it little for his credit, to be trepanned into this measure, and was more willing to take it on himself as intirely voluntary. Perhaps, he thought it would encourage his friends, if they thought him in a situation, which was not disagreeable to him.

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able to Cromwel, and all his enemies. He was now lodged in a place, removed from his partizans, at the diſpoſal of the army, whence it would be very difficult to deliver him, either by force or artifice. And tho' it was always in the power of Cromwel, whenever he pleaſed, to have ſent him thither; yet ſuch a meaſure would have been very invidious, if not accompanied with ſome danger. That the King ſhould voluntarily throw himſelf into the ſnare, and at once forfeit his own reputation of prudence, and gratify his implacable perſecutors, was to them an incident peculiarly fortunate, and proved in the iſſue very fatal to him.

CROMWEL, being now intirely maſter of the parliament, and free from all anxiety, with regard to the King's perſon, applied himſelf ſeriouſly to quell thoſe diſorders in the army which he himſelf had ſo artfully raiſed, and ſo ſucceſsfully employed, againſt both King and parliament. In order to engage the troops into a rebellion againſt their maſters, he had encouraged a very arrogant ſpirit among the inferior officers and private men; and the camp, in many reſpects, carried more the appearance of civil liberty than of military obedience. The troops themſelves were formed into a kind of republic; and the plans of imaginary republics for the ſettlement of the ſtate, were, every day, the topics of converſation among theſe armed legiſlators. Royalty it was agreed to aboliſh: Nobility muſt be ſet aſide: Even all ranks of men be levelled; and an univerſal equality of property, as well as power, be introduced among the citizens. The ſaints, they ſaid, were the ſalt of the earth: An intire parity had place among the elect: And, by the ſame rule, that the apoſtles were exalted from the moſt ignoble profeſſions, the meaneſt centinel, if enlightened by the ſpirit, was intitled to equal regard with the greateſt commander. In order to wean the ſoldiers from theſe licentious maxims, Cromwel had iſſued orders for diſcontinuing the meetings of the agitators; and he pretended to pay intire obedience to the parliament, whom, being now reduced fully to ſubjection, he propoſed to make, for the future, the inſtruments of his authority. But the *Levellers*, for ſo that party in the army was called, having experienced the ſweets of dominion, would not ſo eaſily be deprived of it. They ſecretly continued their meetings: They aſſerted, that their officers, as much as any part of the church or ſtate, ſtood in need of reformation: Several regiments joined in ſeditious remonſtrances and petitions *: Separate rendevouſes were concerted: And every thing tended to total anarchy and confuſion. But this diſtemper was ſoon cured by the rough, but dexterous hand of Cromwel. He choſe the occaſion of a review, that he might diſplay the greater boldneſs, and ſpread the terror the wider. He ſeized the ringleaders before their companions: Held in the field a council of war: Shot one mutineer

* Ruſhw. vol. viii. p. 845, 859.

inſtant-

inſtantly; and ſtruck ſuch dread into the reſt, that they preſently threw down the ſymbols of ſedition, which they had diſplayed, and thenceforth returned to their wonted diſcipline and obedience †.

Cromwel had great deference for the council of Ireton; a man, who, having grafted the ſoldier on the lawyer, the ſtateſman on the ſaint, had adopted ſuch principles as were fitted to introduce the ſevereſt tyranny, while they ſeemed to encourage the moſt unbounded licence, in human ſociety. Fierce in his nature, tho' probably ſincere in his intentions; he propoſed by arbitrary power to eſtabliſh liberty, and, in proſecution of his imagined religious purpoſes, he thought himſelf diſpenſed from all the ordinary rules of morality, by which inferior mortals muſt allow themſelves to be governed. From his ſuggeſtion, Cromwel ſecretly called at Windſor a council of the chief officers, in order to deliberate concerning the ſettlement of the nation, and the future diſpoſal of the King's perſon*. In this conference, which commenced with devout prayers, poured forth by Cromwel himſelf and other inſpired perſons (for the officers of this army received inſpiration with their commiſſion), was firſt opened the daring and unheard of council, of bringing the King to juſtice, and of puniſhing, by a judicial ſentence, their ſovereign for his pretended tyranny and mal-adminiſtration. While Charles lived, even tho' reſtrained to the cloſeſt priſon, conſpiracies, they knew, and inſurrections would never be wanting, in favour of a prince, who was ſo extremely revered and beloved by his own party, and whom the nation in general began to regard with great affection and compaſſion. To murder him privately was expoſed to the imputation of injuſtice and cruelty, aggravated by the baſeneſs of ſuch a crime; and every odious epithet of *Traitor* and *Aſſaſſin* would, by the general voice of mankind, be undiſputably aſcribed to the actors of ſuch a villany. Some unexpected procedure muſt be attempted, which would aſtoniſh the world by its novelty, would bear the ſemblance of juſtice, and would cover its barbarity by the audaciouſneſs of the enterprize. Striking in with the fanatical notions of the intire equality of mankind, it would enſure the devoted obedience of the army, and ſerve as a general engagement againſt the royal family, whom, by their open and united deed, they would ſo heinouſly affront and injure †.

This meaſure, therefore, being ſecretly reſolved on, it was requiſite, by degrees, to make the parliament adopt it, and to conduct them from violence to

† Ruſhw. vol. viii. p. 875. Clarendon, vol. v. p. 87.

* Clarendon, vol. v. p. 92.

† The following was a very favourite text among the enthuſiaſts of that age. "Let the high "praiſes of God be in the mouths of his ſaints, and a twofold ſword in their hands, to execute ven- "geance upon the heathen and puniſhment upon the people; to bind their kings with chains and "their nobles with fetters of iron; to execute upon them the judgments written: This honour have "all his ſaints." Pſal. cxlix. ver. 6, 7, 8, 9. Hugh Peters, the mad chaplain of Cromwel, preached frequently upon this text.

violence;

Chap. X. 1647. violence; till this laſt act of atrocious iniquity ſhould ſeem, in a manner, wholly inevitable. The King, in order to remove thoſe fears and jealouſies, which were perpetually pleaded as reaſons for every invaſion of the conſtitution, had offered, by a meſſage, ſent from Cariſbroke caſtle, to reſign, during his own life, the power of the militia and the nomination to all the great offices; provided that, after his death, theſe prerogatives ſhould again revert to the crown *: But the parliament acted intirely as victors and enemies; and in all their tranſactions with him, payed no longer any regard to equity or reaſon. At the inſtigation of the independents and army, they neglected this offer, and framed four propoſitions, which they ſent him as preliminaries; and, before they would deign to treat, they demanded his poſitive aſſent to all of them. By one, he was required to inveſt the parliament with the military power for twenty years, together with an authority to levy whatever money ſhould be neceſſary for exerciſing it: And even after the twenty years ſhould be elapſed, they reſerved a right of reaſſuming the ſame authority, whenever they ſhould declare the ſafety of the kingdom to require it. By the ſecond, he muſt recall all his proclamations and declarations againſt the parliament, and acknowledge that aſſembly to have taken arms for their juſt and neceſſary defence. By the third, he was to annull all the acts, and void all the patents of peerage, which had paſſed the great ſeal, ſince it had been carried from London by Lord-Keeper Littleton. By the fourth, he gave the two houſes power to adjourn as they thought fit: A demand ſeemingly of no great conſequence; but contrived by the independents, that they might be able to remove the parliament to places, where it ſhould remain in perpetual ſubjection to the army †.

1648. THE King regarded the pretenſion as moſt unuſual and exorbitant, that he ſhould make ſuch conceſſions, while inſecure of any ſettlement; and ſhould blindly truſt his enemies for the conditions, which they were afterwards to grant him. He required, therefore, a perſonal treaty with the parliament, and deſired that all the terms, on both ſides, ſhould be adjuſted, before any conceſſions, on either ſide, ſhould be inſiſted on. The republican party in the houſe pretended to take fire at this anſwer; and openly inveighed, in the moſt virulent terms, againſt the perſon and government of the King; whoſe name, hitherto, had commonly, in all debates, been mentioned with ſome degree of reverence. Ireton, ſeeming to ſpeak the ſenſe of the army, under the appellation of many thouſand godly men, who had ventured their lives in defence of the parliament, ſaid, That the King, by denying the four bills, had refuſed ſafety and protection to his people; that their obedience to him was but a reciprocal duty for his protection of them; and that, as he had failed on his part, they were freed from all obligations to allegi-

* Ruſhw. vol. viii. p. 880. † Clarendon, vol. v. p. 88.

ance,

ance, and muſt ſettle the nation, without conſulting any longer ſo miſguided a prince *. Cromwel, after giving an ample character of the valour, good affections, and godlineſs of the army, ſubjoined, That it was expected the parliament ſhould govern and defend the kingdom by their own power and reſolutions, and not accuſtom the people any longer to expect ſafety and government from an obſtinate man, whoſe heart God had hardened; that thoſe, who, at the expence of their blood, had hitherto defended the parliament from ſo many dangers, would ſtill continue, with fidelity and courage, to protect them againſt all oppoſition, in this vigorous meaſure. "Teach them not," added he, "by your neglecting "your own ſafety and that of the kingdom (in which theirs too is involved) to "imagine themſelves betrayed, and their intereſts abandoned to the rage and "malice of an irreconcilable enemy, whom, for your ſake, they have dared to "provoke. Beware, *(and at theſe words he laid his hand on his ſword)* beware, "leſt deſpair cauſe them to ſeek ſafety by ſome other means, than by adhering to you, who know not how to conſult your own ſafety †." Such arguments prevailed; tho' ninety-one members had ſtill the courage to oppoſe. It was voted, that no more addreſſes be made to the King, nor any letters or meſſages be received from him; and that it be treaſon for any one, without leave of the two houſes, to have any intercourſe with him. The Lords concurred in the ſame ordinance ‡. Chap. X. 1648. 15th of Jan.

By this vote of non-addreſſes, for ſo it was called, the King was, in reality, dethroned, and the whole conſtitution formally overthrown. So violent a meaſure was ſupported by a declaration no leſs violent. The blackeſt calumnies were there thrown upon the King; ſuch as, even in their famous remonſtrance, the commons thought proper to omit, as incredible and extravagant: The poiſoning his father, the betraying Rochelle, the contriving the Iriſh maſſacre §. By blaſting his fame, had that injury been in their power, they formed a very proper prelude to the murthering of his perſon.

No ſooner had the King refuſed his aſſent to the four bills, than Hammond, by orders from the army, removed all his ſervants, cut off all his correſpondence with his friends, and ſhut him up in cloſe confinement. The King afterwards ſhowed to Sir Philip Warwick a decrepid old man, who, he ſaid, was employed to kindle his fire, and was the beſt company he enjoyed, during ſeveral months that this rigorous confinement laſted ‖. No amuſement was allowed him, or ſociety, which might relieve his anxious thoughts: To be ſpeedily poiſoned or aſſaſſinated was the only proſpect, which he had, every moment, before his eyes: For he entertained no apprehenſion of a judicial ſentence and execution, an event,

* Cl. Walker, p. 70. † Id. ibid. ‡ Ruſhw. vol. viii. p. 965. 967.
§ Ruſhw. vol. viii. p. 998. Clarendon, vol. v. p. 93.
‖ Warwick, p. 329.

of

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of which no hiſtory hitherto furniſhed an example. Meanwhile the parliament were very induſtrious in publiſhing, from time to time, the intelligence, which they received from Hammond; how chearful the King was, how pleaſed with every one who approached him, how ſatisfied in his preſent condition *: As if the view of ſuch benignity and conſtancy had not been more proper to inflame, than allay, the general compaſſion of the people. The great ſource, whence the King derived conſolation amidſt all his calamities, was undoubtedly religion; a principle, which, in him, ſeems to have contained nothing fierce nor gloomy, nothing which enraged him againſt his adverſaries, or terrified him with the diſmal proſpect of futurity. While every thing around him bore a hoſtile aſpect; while friends, family, relations, whom he paſſionately loved, were placed at a diſtance, and unable to ſerve him; he repoſed himſelf with confidence in the arms of that Being, who penetrates and ſuſtains all nature, and whoſe ſeverities, if received with piety and reſignation, he regarded as the ſureſt pledge of unexhauſted favour.

Second civil war.

THE parliament and army, meanwhile, enjoyed not, in tranquillity, that power, which they had obtained with ſo much violence and injuſtice. Combinations and conſpiracies, they were ſenſible, were every where forming around them; and Scotland, whence the King's cauſe had received the firſt fatal blow, ſeemed now to promiſe it ſupport and aſſiſtance.

BEFORE the delivery of the King's perſon at Newcaſtle, and much more, ſince that event, the ſubjects of diſcontent had been daily multiplying between the two kingdoms. The independents, who began to prevail, took all occaſions of mortifying the Scots, whom the preſbyterians looked on with the greateſt affection and veneration. When the Scots commiſſioners, who, joined to a committee of Engliſh lords and commons, had managed the war, were ready to depart, it was propoſed in parliament to give them thanks for their civilities and good offices. The independents prevailed, that the words, *Good offices*, ſhould be ſtruck out; and thus the whole brotherly friendſhip and intimate alliance with the Scots reſolved itſelf into an acknowledgment of their being well-bred gentlemen.

THE advance of the army to London, the ſubjection of the parliament, the ſeizing of the King at Holmby, his confinement in Cariſbroke caſtle, were ſo many blows, ſenſibly felt by that nation; as threatening the final overthrow of preſbytery, to which they were ſo paſſionately devoted. The covenant was profanely called, in the houſe of commons, an almanack out of date †; and that impiety, tho' complained of, had paſſed uncenſured. Inſtead of being able to determine and eſtabliſh orthodoxy by the ſword and by penal ſtatutes, they ſaw the ſectarian army, who were abſolute maſters, claim an unbounded liberty of

* Ruſhw. vol. viii. p. 489. † Cl. Walker, p. 80.

conſcience,

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conſcience, which the preſbyterians regarded with the utmoſt horror. All the violences, put on the King, they loudly blamed, as repugnant to the covenant, by which they ſtood engaged to defend his royal perſon. And thoſe very actions, of which they themſelves had been guilty, they denominated treaſon and rebellion, when executed by an oppoſite party.

THE Earls of Loudon, Lauderdale, and Laneric, who were ſent to London, proteſted againſt the four propoſitions; as containing too great a diminution of the King's civil power, and providing no ſecurity for religion. They complained, that, notwithſtanding this proteſtation, the propoſitions were ſtill inſiſted on; contrary to the ſolemn league and to the treaty between the two nations. And when they accompanied the Engliſh commiſſioners to the iſle of Wight, they ſecretly formed a treaty with the King, for arming Scotland in his favour *.

THREE parties, at that time, prevailed in Scotland. The *Royaliſts*, who inſiſted upon the reſtoration of the King's authority, without any regard to religious ſects or tenets. Of theſe Montroſe, tho' abſent, was regarded as the head. The *Rigid preſbyterians*, who hated the King, even more than they abhorred toleration; and who determined to give him no aſſiſtance, till he ſhould ſign the covenant: Theſe were governed by Argyle. The *Moderate preſbyterians*, who endeavoured to reconcile the intereſts of religion and of the crown, and hoped, by ſupporting the preſbyterian party in England, to ſuppreſs the ſectarian army, and to re-inſtate the parliament, as well as King, in their juſt freedom and authority: The two brothers, Hamilton and Laneric, were leaders of this party.

Invaſion from Scotland.

WHEN Pendennis caſtle was ſurrendered to the parliamentary army, Hamilton, who then obtained his liberty, returned into Scotland; and being generouſly determined to remember antient favours, more than recent injuries, he immediately embraced, with zeal and ſucceſs, the protection of the royal cauſe. He obtained a vote from the parliament to arm 40,000 men in ſupport of the King's authority, and to call over a conſiderable body under Monro, who commanded the Scots forces in Ulſter. And tho' he openly proteſted, that the covenant was the foundation of all his meaſures, he ſecretly formed an alliance with the Engliſh royaliſts, Sir Marmaduke Langdale and Sir Philip Muſgrave, who ſurprized Berwic and Carliſle, and levied conſiderable forces in the north of England.

THE general aſſembly, who ſat at the ſame time, and were guided by Argyle, dreaded the conſequence of theſe meaſures, and foreſaw, that the oppoſite party, if ſucceſsful, would effect the reſtoration of monarchy, without the eſtabliſhment of preſbytery in England. To join the King before he had ſubſcribed the covenant, was, in their eyes, to reſtore him to his honour before Chriſt was

* Clarendon, vol. v. p. 101.

reſtored

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reſtored to his * ; and they thundered out anathemas againſt every one, who payed obedience to the parliament. Two ſupreme independent judicatories were erected in the kingdom ; one threatening the people with damnation and eternal torments, the other with impriſonment, baniſhment, and military execution. The people were diſtracted in their choice ; and the armament of Hamilton's party, tho' ſeconded by all the civil power, went on but ſlowly. The royaliſts he would not, as yet, allow to join him, leſt he might give offence to the eccleſiaſtical party ; tho' he ſecretly promiſed them truſt and preferment, ſo ſoon as his army ſhould advance into England.

WHILE the Scots were making preparations for the invaſion of England, every part of that kingdom was agitated with tumults, inſurrections, conſpiracies, diſcontents. 'Tis ſeldom, that the people gain any thing by revolutions in government ; becauſe the new ſettlement, jealous and inſecure, muſt commonly be ſupported with more expence and ſeverity than the old : But on no occaſion was the truth of this maxim more ſenſibly felt, than in the preſent ſituation of England. Complaints againſt the oppreſſion of ſhip-money, againſt the tyranny of the ſtar-chamber, had rouzed the people to arms : And having gained a compleat victory over the crown, they found themſelves loaded with a multiplicity of taxes, formerly unknown ; and ſcarce an appearance of law and liberty remained in the adminiſtration. The preſbyterians, who had chiefly ſupported the war, were enraged to find the prize, juſt when it ſeemed within their reach, ſnatched by violence from them. The royaliſts, diſappointed in their expectations, by the cruel treatment, which the King received from the army, were ſtrongly animated to reſtore him to liberty, and to recover the advantages, which they had unfortunately loſt. All orders of men were inflamed with indignation at ſeeing the military prevail over the civil power, and King and parliament at once reduced to ſubjection by a mercenary army. Many perſons of family and diſtinction, from the beginning of the war, had adhered to the parliament : But all thoſe were, by the new party, deprived of authority ; and every office was entruſted to the moſt ignoble part of the nation. A baſe populace exalted above their ſuperiors : Hypocrites exerciſing iniquity under the vizor of religion : Theſe two circumſtances promiſed not much liberty or lenity to the people ; and theſe were now found united, in the ſame uſurped and illegal adminiſtration.

THO' the whole nation ſeemed to combine in their hatred of military tyranny, the ends, which the ſeveral parties propoſed, were ſo different, that little concert was obſerved in their inſurrections. Langhorne, Poyer, and Powel, preſbyterian officers, who commanded bodies of troops in Wales, were the firſt who

* Whitlocke, p. 305.

declared themſelves, and drew together a conſiderable army in thoſe parts, which were extremely devoted to the royal cauſe. An inſurrection was raiſed in Kent by young Hales and the Earl of Norwich. Lord Capel, Sir Charles Lucas, Sir George Liſle, excited commotions in Eſſex. The Earl of Holland, who had ſeveral times changed party, ſince the commencement of the civil wars, endeavoured to aſſemble forces in Surrey. Pomfret caſtle in Yorkſhire was ſurprized by Morrice. Langdale and Muſgrave were in arms, and maſters of Berwic and Carliſle in the north. Chap. X. 1648.

What ſeemed the moſt dangerous circumſtance, the general ſpirit of diſcontent had ſeized the fleet. Seventeen ſhips, lying in the mouth of the river, declared for the King; and putting Rainſborow, their admiral, aſhore, ſailed over to Holland, where the Prince of Wales took the command of them *.

The Engliſh royaliſts exclaimed loudly againſt Hamilton's delays, which they attributed to a refined policy in the Scots; as if their intentions were, that all the King's party ſhould firſt be ſuppreſſed, and the victory remain intire to the preſbyterians. Hamilton, with better reaſon, complained of the precipitant humour of the Engliſh royaliſts, who, by their ill-timed inſurrections, forced him to march his army, before his levies were compleated, or his preparations in any forwardneſs.

No commotions, beyond a tumult of the apprentices, which was ſoon ſuppreſſed, were raiſed in London: The terror of the army kept the citizens in ſubjection. The parliament was ſo overawed, that they declared the Scots to be enemies, and all who joined them, traitors. Ninety members, however, of the lower houſe had the courage to diſſent from this vote.

Cromwel and the military council prepared themſelves with vigour and conduct for defence. The eſtabliſhment of the army was, at this time, 26,000 men; but by inliſting ſupernumeraries, the regiments were greatly augmented †, and commonly conſiſted of more than double their ſtated complement. Colonel Horton firſt attacked the revolted troops in Wales, and gave them a conſiderable defeat. The remnants of the vanquiſhed threw themſelves into Pembroke, and were there cloſely beſieged, and ſoon after taken, by Cromwel. Lambert was oppoſed to Langdale and Muſgrave in the north, and gained advantages over them. Sir Michael Liveſey defeated the Earl of Holland at Kingſton, and purſuing his victory, took him priſoner at St. Neots. Fairfax, having routed the Kentiſh royaliſts at Maidſtone, followed the broken army: And when they joined the Eſſex inſurgents, and threw themſelves into Colcheſter; he laid ſiege to that place, which defended itſelf to the laſt extremity. A new fleet was manned,

* Clarendon, vol. v. p. 137.

† Whitlocke, p. 284.

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and ſent out under the command of Warwic, to oppoſe the revolted ſhips, of which the Prince had taken the command.

WHILE the forces were employed in all quarters, the parliament regained its liberty, and began to act with its wonted courage and ſpirit. The members, who had withdrawn from the terror of the army, returned; and infuſing boldneſs into their companions, reſtored to the preſbyterian party the aſcendant, which it had formerly loſt. The eleven impeached members were recalled, and the vote, by which they were expelled, was reverſed. The vote too of non-addreſſes was repealed; and commiſſioners, five peers and ten commoners, were ſent to Newport in the iſle of Wight, in order to treat with the King *. He was allowed to ſummon ſeveral of his friends and old counſellors, that he might have their advice in this important tranſaction †. The theologians on both ſides, armed with their ſyllogiſms and citations, attended as auxiliaries ‡. By them, the flame had firſt been raiſed; and their appearance was but a bad prognoſtic of its extinction. Any other inſtruments ſeemed better adapted for a treaty of pacification.

18th of Sept. Treaty of Newport.

WHEN the King preſented himſelf to this company, a great and ſenſible alteration was remarked in his aſpect from what it appeared the year before, when he reſided at Hampton-Court. The moment his ſervants had been removed, he had laid aſide all care of his perſon, and had allowed his beard and hair to grow, and to hang diſhevelled and neglected. His hair was become almoſt intirely grey; either from the decline of years, or from that load of ſorrows, under which he laboured, and which, tho' borne with conſtancy, preyed inwardly on his ſenſible and tender mind. His friends beheld with compaſſion, and perhaps even his enemies, that *Grey and diſcrowned head*; as he himſelf terms it, in a copy of verſes, which the truth of the ſentiment, rather than any elegance of expreſſion, renders very pathetic §. Having in vain endeavoured by courage to defend his throne from his armed adverſaries, it now behoved him, by reaſon and perſuaſion, to ſave ſome fragments of it, from theſe peaceful, and no leſs implacable negotiators.

THE vigour of the King's mind, notwithſtanding the ſeeming decline of his body, here appeared unbroken and undecayed. The parliamentary commiſſioners would allow none of his council to be preſent, and refuſed to enter into reaſoning with any but himſelf. He alone, during the tranſactions of two months, was obliged to ſuſtain the argument againſt fifteen men of the greateſt parts and capacity in both houſes; and no advantage was ever obtained over him ‖. This was the ſcene, above all others, in which he was qualified to excel. A quick conception, a cultivated underſtanding, a chaſte elocution, a dignified manner; by

* Clarendon, vol. v. p. 180. Sir Ed. Walker's Perfect Copies, p. 6.
† Sir Ed. Walker, p. 8. ‡ Walker, p. 8. 38.
§ Burnet's Memoirs of Hamilton. ‖ Herbert's Memoirs, p. 72.

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theſe accompliſhments he triumphed in all diſcuſſions of cool and temperate reaſoning. *The King is much changed*, ſaid the Earl of Saliſbury to Sir Philip Warwick: *He is extremely improved of late.* *No*, replied Sir Philip; *he was always ſo: But you are now at laſt ſenſible of it* *. Sir Henry Vane, diſcourſing with his fellow-commiſſioners, drew an argument from the King's uncommon abilities, why the terms of pacification muſt be rendered more ſtrict and rigid †. But Charles's capacity ſhone not equally in action as in reaſoning.

THE firſt point inſiſted on by the parliamentary commiſſioners, was the King's recalling all his proclamations and declarations againſt the parliament, and the acknowledging, that they had taken arms in their own defence. He frankly offered the former conceſſion; but long ſcrupled the latter. The falſhood, as well as indignity of that acknowledgment, begot in his breaſt an extreme reluctance againſt it. The King had, no doubt, in ſome particulars of moment, invaded, from a ſeeming neceſſity, the privileges of his people: But having renounced all claim to theſe uſurped powers, having confeſſed his errors, and having repaired every breach in the conſtitution, and even erected new ramparts, in order to ſecure it; he could no longer, at the commencement of the war, be repreſented as the aggreſſor. However it might be pretended, that the former diſplay of his arbitrary inclinations, or rather his monarchical principles, rendered an offenſive or preventive war in the parliament prudent and reaſonable; it could never, in any propriety of ſpeech, make it be denominated a defenſive one. But the parliament, ſenſible, that the letter of the law condemned them as rebels and traitors; deemed this point abſolutely neceſſary for their future ſecurity: And the King, finding, that peace could be obtained on no other terms, at laſt yielded to it. He only entered a proteſt, which was admitted; that no conceſſion, made by him, ſhould be valid, unleſs the whole treaty of pacification was concluded ‡.

HE agreed, that the parliament ſhould retain, during the term of twenty years, the power of the militia and army, and of levying what money they pleaſed for their ſupport. He even yielded to them the right of reſuming, at any time afterwards, this authority, whenever they ſhould declare ſuch a reſumption requiſite for public ſafety. In effect, the important power of the ſword was for ever raviſhed from him and his ſucceſſors §.

HE agreed, that all the great offices, during twenty years, ſhould be filled by both houſes of parliament ‖. He relinquiſhed to them the entire government of Ireland, and the conduct of the war there **. He renounced the power of the wards, and accepted of 100,000 pounds a-year in lieu of it ††. He acknow-

* Warwick, p. 324.
† Clarendon, Sir Edward Walker, p. 319.
‡ Walker, p. 11, 12. 24.
§ Walker, p. 51.
‖ Walker, p. 78.
** Walker, p. 45.
†† Walker, p. 69, 77.

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ledged the validity of their great ſeal, and gave up his own *. He abandoned the power of creating peers without conſent of parliament. And he agreed, that all the debts, contracted in order to ſupport the war againſt him, ſhould be paid by the people.

So great were the alterations, made on the Engliſh conſtitution by this treaty, that the King ſaid, not without reaſon, that he had been more an enemy to his people by theſe conceſſions, could he have prevented them, than by any other action of his life.

Of all the demands of the parliament, Charles refuſed only two. Tho' he relinquiſhed almoſt every power of the crown, he would neither give up his friends to puniſhment, nor deſert what he eſteemed his religious duty. The ſevere repentance, which he had undergone, for abandoning Strafford, had, no doubt, confirmed him in the reſolution never again to be guilty of a like error. His long ſolitude and ſevere afflictions had contributed extremely to rivet him the more in thoſe religious principles, which had ever a conſiderable influence over him. His deſire, however, of finiſhing an accommodation induced him to go as far in both theſe particulars, as he thought any way conſiſtent with his duty.

The eſtates of the royaliſts being, at that time, almoſt intirely under ſequeſtration, Charles, who could give them no protection, conſented, that they ſhould pay ſuch compoſitions, as they and the parliament could agree on; and only begged, that they might be made as moderate as poſſible. He had not the diſpoſal of offices; and it ſeemed but a ſmall ſacrifice to conſent, that a certain number of his friends ſhould be rendered incapable of public employments †. But when the parliament demanded a bill of attainder and baniſhment againſt ſeven perſons, the Marqueſs of Newcaſtle, Lord Digby, Lord Biron, Sir Marmaduke Langdale, Sir Richard Granville, Sir Francis Doddington, and judge Jenkins, the King utterly refuſed compliance: Their baniſhment for a limited time he was willing to agree to ‡.

Religion was the fatal point about which the differences had firſt ariſen; and of all others, was the leaſt ſuſceptible of compoſition or moderation between the contending parties. The parliament inſiſted on the eſtabliſhment of preſbytery, the ſale of the chapter lands, the abolition of all forms of prayer, and ſtrict laws againſt the catholics. The King offered to retrench every thing, which he did not eſteem of apoſtolical inſtitution: He was willing to aboliſh archbiſhops, deans, prebends, canons: He offered, that the chapter lands ſhould be let at low leaſes during ninety-nine years: He conſented, that the preſent church government ſhould continue during three years §: After that time, he required not, that any thing ſhould be reſtored to biſhops but the power of ordination, and even

* Walker, p. 56. 68. † Id. p. 61. ‡ Id. p. 91. 93. § Id. p. 29. 35. 49.

that

that power to be exerciſed by advice of the preſbyters*. If the parliament, upon the expiration of that period, was not willing, all other branches of epiſcopal juriſdiction were aboliſhed, and a new form of church government muſt, by common conſent, be eſtabliſhed. The book of common prayer he was willing to renounce, but required the liberty of uſing ſome other liturgy in his own chapel †. A demand, which, tho' ſeemingly very reaſonable, was poſitively refuſed by the parliament. Chap. X. 1648.

In the diſpute on theſe articles, one is not ſurpriſed, that two of the parliamentary theologians ſhould tell the King, *That if he did not conſent to the utter abolition of epiſcopacy, he would be damned*. But it is not without ſome indignation, that we read the following vote of the lords and commons. "The houſes, "out of their deteſtation to that abominable idolatry uſed in the maſs, do declare, "that they cannot admit of or conſent unto any ſuch indulgence in any law, as "is deſired by his Majeſty for exempting the Queen and her family from the "penalties to be enacted againſt the exerciſe of the maſs ‡." The treaty of marriage, the regard to the Queen's ſex and high ſtation, even common humanity; all conſiderations were undervalued, in compariſon of their bigoted prejudices §.

It

* Walker, p. 65. † Walker, p. 75. 82. Ruſhw. vol. viii. p. 1323.

‡ Walker, p. 71.

§ The King compoſed a letter to the Prince, in which he related the whole courſe of this tranſaction, and accompanied his narrative, with ſeveral wiſe, as well as pathetical reflections and advices. The words with which he concluded the letter, are remarkable. "By what hath been ſaid, "you ſee how long I have laboured in the ſearch of peace: Do not you be diſheartened to tread in "the ſame ſteps. Uſe all worthy means to reſtore yourſelf to your rights, but prefer the way of "peace: Show the greatneſs of your mind, rather to conquer your enemies by pardoning, than by "puniſhing. If you ſaw how unmanly and unchriſtian the implacable diſpoſition is in our ill-wiſhers, "you would avoid that ſpirit. Cenſure me not for having parted with ſo much of our right: The "price was great; but the commodity was, ſecurity to us, peace to my people. And I am con"fident, that another parliament would remember, how uſeful a King's power is to a people's liber"ty; of how much power I diveſted myſelf, that I and they might meet once again in a parlia"mentary way, in order to agree the bounds of prince and people. Give belief to my experience, "never to affect more greatneſs or prerogative, than what is really and intrinſically for the good of "the ſubjects, not the ſatisfaction of favourites. If you thus uſe it, you will never want means "to be a father to all, and a bountiful prince to any, whom you incline to be extraordinarily gra"cious to. You may perceive, that all men entruſt their treaſure, where it returns them intereſt; "and if a prince, like the ſea, receive and repay all the freſh ſtreams, which the rivers entruſt with "him, they will not grudge, but pride themſelves, to make him up an ocean. Theſe conſidera"tions, may make you as great a prince as your father is a low one; and your ſtate may be ſo much "the more eſtabliſhed, as mine hath been ſhaken. For our ſubjects have learned, I dare ſay, that "victories over their princes, are but triumphs over themſelves, and ſo, will more unwillingly hear"ken to changes hereafter. The Engliſh nation are a ſober people, however, at preſent, infatuated. "I know not but this may be the laſt time, I may ſpeak to you or the world publickly. I am ſen"ſible into what hands I am fallen; and yet, I bleſs God, I have thoſe inward refreſhments, which

"the

Chap. X. 1648.

It was evidently the intereſt, both of King and parliament, to finiſh their treaty with all expedition; and endeavour, by their combined forces, to reſiſt, if poſſible, the uſurping fury of the army. It ſeemed even the intereſt of the parliament, to leave, in the King's hand, a conſiderable ſhare of authority, by which he might be enabled to protect them and himſelf, from ſo dangerous an enemy. But the terms, on which they inſiſted, were ſo rigorous, that the King, fearing no worſe from the moſt implacable enemies, was in no haſte to come to a concluſion. And ſo great was the bigotry on both ſides, that they were willing to ſacrifice the greateſt civil intereſts, rather than relinquiſh the moſt minute of their theological contentions. From theſe cauſes, aſſiſted by the artifice of the independents, the treaty was ſpun out to ſuch a length, that the invaſions and inſurrections were every where ſubdued; and the army had leiſure to execute their violent and ſanguinary projects.

Civil war and invaſion repreſſed.

Hamilton, having entered England with a numerous tho' undiſciplined army, durſt not unite his forces with thoſe of Langdale; becauſe the Engliſh royaliſts had refuſed to take the covenant; and the Scots preſbyterians, tho' engaged for the King, refuſed to join them on any other terms. The two armies marched together, tho' at ſome diſtance; nor could even the approach of the parliamentary army under Cromwel, oblige the covenanters to conſult their own ſafety, by a cloſe union with the royaliſts. When principles are ſo abſurd and ſo deſtructive of human ſociety, it may ſafely be affirmed, that, the more ſincere and the more diſintereſted they are, they only become the more ridiculous and odious.

Cromwel feared not to oppoſe 8000 men, to the numerous armies of 20,000, commanded by Hamilton and Langdale. He attacked the latter by ſurprize,
17th of Aug. near Preſton in Lancaſhire; and, tho' the royaliſts made a ſtout reſiſtance, yet, not being ſuccoured in time by their confederates, they were almoſt entirely cut in pieces. Hamilton was next attacked, put to rout, and purſued to Utoxeter, where he ſurrendered himſelf priſoner. Cromwel followed his advantage; and marching into Scotland with a conſiderable body, joined Argyle, who was alſo in arms; and having ſuppreſſed Laneric, Monro, and other moderate preſbyterians, he placed the power entirely in the hands of the violent party. The eccleſiaſtical authority, exalted above the civil, exerciſed the ſevereſt vengeance on

" the malice of my enemies cannot perturb. I have learned to buſy myſelf, by retiring into myſelf;
" and therefore can the better digeſt whatever befals me; not doubting, but God's providence will
" reſtrain our enemies power, and turn their fierceneſs into his praiſe. To conclude, if God give you
" ſucceſs, uſe it humbly, and be ever far from revenge. If he reſtore you to your right on hard
" conditions, whatever you promiſe, keep. Theſe men, who have violated laws, which they
" were bound to preſerve, will find their triumphs full of trouble. But do not you think any thing
" in the world worth attaining, by foul and unjuſt means."

all

all thoſe who had any ſhare in Hamilton's engagement; nor could any of that party recover truſt, or even live in ſafety, but by doing ſolemn and public penance for taking arms, by authority of parliament, in defence of their lawful ſovereign. Chap. X. 1648.

The chancellor, Loudon, who had, at firſt, countenanced Hamilton's enterprize, being terrified with the menaces of the clergy, had, ſometime before, gone over to the other party; and he now, openly in the church, tho' inveſted with the higheſt civil character in the kingdom, did penance for his obedience to the parliament, which he termed a carnal ſelf-ſeeking. He accompanied his penance with ſo many tears, and ſuch pathetical addreſſes to the people for their prayers, in this his uttermoſt ſorrow and diſtreſs, that an univerſal weeping and lamentation took place among the deluded audience *.

The loan of great ſums of money, often to the ruin of families, was exacted of all ſuch as lay under any ſuſpicion of favouring the King's party, tho' their conduct had been ever ſo inoffenſive. This was a device, fallen upon by the ruling party, in order, as they ſaid, to reach *Heart-Malignants* †. Never in this iſland, was known a more ſevere and arbitrary government, than was generally exerciſed, by the patrons of liberty in both kingdoms.

The ſiege of Colcheſter terminated in a manner no leſs unfortunate than Hamilton's engagement, for the royal cauſe. After ſuffering the utmoſt extremity of famine, after feeding on the vileſt aliments; the garriſon deſired, at laſt, to capitulate. Fairfax required them to ſurrender at mercy; and he gave ſuch an explanation of theſe terms, as to reſerve to himſelf power, if he pleaſed, to put them all inſtantly to the ſword. The officers endeavoured, tho' in vain, to perſuade the ſoldiers, by making a furious aſſault, to break thro', or at leaſt, to ſell their lives as dear as poſſible. They were obliged to accept of the conditions offered; and Fairfax, inſtigated by Ireton, to whom Cromwel, in his abſence, had conſigned over the government of the paſſive general, ſeized Sir Charles Lucas and Sir George Liſle, and reſolved to make them inſtant ſacrifices to military juſtice. This unuſual piece of ſeverity was loudly exclaimed againſt by all the priſoners. Lord Capel, fearleſs of danger, reproached Ireton with it; and challenged him, as they were all engaged in the ſame honourable cauſe, to exerciſe the ſame impartial vengeance on all of them. Lucas was firſt ſhot, and he gave, himſelf, orders to fire, with the ſame alacrity, as if he had commanded a platoon of his own ſoldiers. Liſle inſtantly ran and kiſſed the dead body, and then chearfully preſented himſelf to a like fate. Thinking that the ſoldiers, deſtined for his execution, ſtood at too great a diſtance, he called to them to come nearer: One of them replied, *I'll warrant you, Sir, we'll hit you:* He anſwered, 18th of Aug.

* Whitlocke, p. 360. † Guthrey.

ſmiling,

Chap. X. 1648.

ſmiling, *Friends, I have been nearer you when you have miſſed me.* Thus periſhed this generous ſpirit, not leſs beloved for his modeſty and humanity, than eſteemed for his courage and military conduct.

Soon after, a gentleman appearing in the King's preſence, clothed in mourning for Sir Charles Lucas; that humane Prince, ſuddenly recollecting the hard fate of his friends, paid them a tribute, which none of his own unparalleled misfortunes ever extorted from him: He diſſolved into a flood of tears*.

By theſe multiplied ſucceſſes of the army, they had ſubdued all their enemies; and none remained but the helpleſs King and parliament, to oppoſe their violent meaſures. From Cromwel's ſuggeſtion, a remonſtrance was drawn by the general council of officers, and ſent to the parliament. They there complain of the treaty with the King; demand his puniſhment for the blood ſpilt during the war; require a diſſolution of the preſent parliament, and a more equal repreſentative for the future; and aſſert, that, tho' ſervants, they are intitled to repreſent theſe important points to their maſters, who are themſelves no better than ſervants and truſtees of the people. At the ſame time, they advance with the army to Windſor, and ſend Colonel Eure to ſeize the King's perſon at Newport, and convey him to Hurſt caſtle in the neighbourhood, where he was reduced to very ſtrict confinement.

The King ſeized again by the army.

This meaſure being foreſeen ſome time before, the King was exhorted to make his eſcape, which was conceived to be very eaſy: But having given his word to the parliament not to attempt the recovery of his liberty during the treaty, and three weeks afterwards; he would not, by any perſuaſion, be induced to hazard the reproach of violating his promiſe. In vain was it urged, that a promiſe, given to the parliament, could no longer be binding; ſince they could no longer afford him protection from violence, threatened him by other perſons, to whom he was bound by no tye or engagement. The King would indulge no refinements of caſuiſtry, however plauſible, in ſuch delicate ſubjects; and was reſolved, that whatever depredations fortune ſhould commit upon him, ſhe never ſhould bereave him of his honour †.

The parliament loſt not courage, notwithſtanding the danger, with which they were ſo nearly menaced. Tho' without any plan for reſiſting military uſurpations, they generouſly reſolved to withſtand them to the utmoſt; and rather to bring on a violent and viſible ſubverſion of government, than lend their authority to thoſe illegal and ſanguinary meaſures, which were projected. They ſet aſide the remonſtrance of the army, without deigning to anſwer it; they voted the ſeizing the King's perſon, to be without their conſent, and ſent a meſſage

* Whitlocke. † Col. Cooke's Memoirs, p. 174. Ruſhw. vol. viii. p. 1347.

to the general, to know by what authority that enterprize had been executed; and they iſſued orders, that the army ſhould advance no nearer London. Chap. X. 1648.

HOLLIS, the preſent leader of the preſbyterians, was a man of the moſt unconquerable intrepidity; and many others of that party ſeconded his magnanimous ſpirit. It was propoſed by them, that the generals and principal officers, ſhould, for their diſobedience and uſurpations, be proclaimed traitors by the parliament.

BUT the parliament were dealing with men, who would not be frightened by words, nor retarded by any ſcrupulous delicacy. The generals, under the name of Fairfax, (for he ſtill allowed them to employ his name) marched the army to London, and placing guards in Whitehall, the Meuſe, St. James's, Durham-houſe, Covent-garden, and Palace-yard, ſurrounded the parliament with their hoſtile armaments.

THE parliament, deſtitute of all hopes of prevailing, retained, however, courage to reſiſt. They attempted, in the face of the army, to cloſe their treaty with the King; and, tho' they had formerly voted his conceſſions with regard to the church and delinquents to be unſatisfactory, they now took into conſideration the final reſolution with regard to the whole. After a violent debate of three days, it was carried, by a majority of 129 againſt 83, in the houſe of commons, that the King's conceſſions were a foundation for the houſes to proceed upon in the ſettlement of the kingdom.

NEXT day, when the commons were to meet, Colonel Pride, formerly a drayman, had blockaded the houſe, at the head of two regiments; and, directed by the Lord Grey of Groby, he ſeized in the paſſage, forty-one members of the preſbyterian party, and ſent them to a low room, which paſſed by the denomination of *Hell*; whence they were afterwards carried to ſeveral inns. Above 160 members more were excluded; and none were allowed to enter but the moſt furious and moſt determined of the independents; and theſe exceeded not the number of fifty or ſixty. This atrocious invaſion of the parliament, commonly paſſed under the name of *Colonel Pride's purge*; ſo much diſpoſed were the nation to make merry with the dethroning of thoſe members, who had violently arrogated the whole authority of government, and deprived the King of his legal prerogatives. December 6. The houſe purged.

THE ſubſequent acts of the parliament, if this diminutive aſſembly deſerves that honourable name, retain not the leaſt appearance of law, equity, or freedom. They inſtantly reverſed the former vote, and declared the King's conceſſions unſatisfactory. They determined, that no members, abſent at this laſt vote, ſhould be received, till they ſubſcribed it, as agreeable to their judgment. They renewed their former vote of non-addreſſes. And they committed to priſon, Sir William Waller, Sir John Clotworthy, the generals, Maſſey, Brown, and Copley,

Chap. X. 1648.

Copley, and other leaders of the preſbyterians. Theſe men, by their credit and authority, which was then very high, had, at the commencement of the war, ſupported the parliament; and thereby prepared the way for the greatneſs of the preſent leaders, who, at that time, were of very ſmall account in the nation.

THE ſecluded members having publiſhed a paper, containing a narrative of the violence, which had been exerciſed upon them, and a proteſtation, that all acts were void, which, from that time, had been tranſacted in the houſe of commons; the remaining members encountered it with a declaration, in which they pronounced it falſe, ſcandalous, ſeditious, and tending to the deſtruction of the viſible and fundamental government of the kingdom.

THESE ſudden and violent revolutions held the whole nation in terror and aſtoniſhment. Every man dreaded to be trampled under foot, in the contention between thoſe mighty powers, which diſputed for the ſovereignty of the ſtate. Many began to withdraw their effects beyond ſea: Foreigners ſcrupled to give any credit to a people, ſo torn by domeſtic factions, and oppreſſed by military uſurpation: Even the internal commerce of the kingdom began to ſtagnate: And in order to remedy theſe growing evils, the generals, in the army's name, publiſhed a declaration, in which they expreſſed their reſolution of ſupporting law and juſtice *.

THE more to quiet the minds of men, the council of officers took into conſideration, a ſcheme, called *The agreement of the people*; being the plan of a republic, to be ſubſtituted in the place of that government which they had ſo violently pulled in pieces. Many parts of this ſcheme, for correcting the inequalities of the repreſentative, are very plauſible; had the nation been willing to receive it, or had the army intended to impoſe it. Other parts are too perfect for human nature, and ſavour ſtrongly of that fanatical ſpirit, ſo prevalent throughout the kingdom.

THE height of all iniquity and fanatical extravagance yet remained; the public trial and execution of their ſovereign. To this period was every meaſure precipitated by the zealous independents. The parliamentary leaders of that party had intended, that the army ſhould, themſelves, execute that daring enterprize; and they deemed ſo irregular and lawleſs a deed, beſt fitted to ſuch irregular and lawleſs inſtruments †. But the generals were too wiſe, to load themſelves ſingly with the infamy, which, they knew, muſt attend an action, ſo ſhocking to the general ſentiments of mankind. The parliament, they were reſolved, ſhould ſhare with them the reproach of a meaſure, which was thought requiſite for the advancement of their common ends of ſafety and ambition. In the houſe

* Ruſhw. vol. viii. p. 1364. † Whitlocke.

of commons, therefore, a committee was appointed to bring in a charge againſt the King. On their report a vote paſſed, declaring it treaſon in a king, to levy war againſt his parliament, and appointing a HIGH COURT OF JUSTICE to try his Majeſty for this new invented treaſon. This vote was ſent up to the houſe of peers. Chap. X. 1648.

THE houſe of peers, during the civil wars, had, all along, been of ſmall account; but it had lately, ſince the King's fall, become totally contemptible; and very few members would ſubmit to the mortification of attending it. It happened, that day, to be fuller than uſual, and they were aſſembled to the number of ſixteen. Without one diſſenting voice, and almoſt without deliberation, they inſtantly rejected the vote of the lower houſe, and adjourned themſelves for ten days; hoping that this delay would be able to retard the furious career of the commons.

THE commons were not to be ſtopped by ſo ſmall an obſtacle. Having firſt eſtabliſhed a principle, which is noble in itſelf, and ſeems ſpecious, but is belied by all hiſtory and experience, *That the people are the origin of all juſt power*; they likewiſe declared, that the commons of England, aſſembled in parliament, being choſen by the people, and repreſenting them, have the ſupreme authority of the nation, and that whatever is enacted and declared law by the commons, hath the force of law, without the conſent of king or houſe of peers. The ordinance for the trial of Charles Stuart, king of England, ſo they called him, was again read and unanimouſly aſſented to. 1649. January 4.

IN proportion to the enormity of the violences and uſurpations, were augmented the pretences of ſanctity, among thoſe regicides. "Should any one have voluntarily propoſed," ſaid Cromwel in the houſe, "to bring the King to puniſhment, I ſhould have regarded him as the greateſt traytor; but, ſince providence and neceſſity have caſt us upon it, I will pray to God for a bleſſing on your councils; tho' I am not prepared to give you any advice on this important occaſion. Even I myſelf," ſubjoined he, "when I was lately offering up petitions for his Majeſty's reſtoration, felt my tongue cleave to the roof of my mouth, and conſidered this ſupernatural movement as the anſwer, which Heaven, having rejected the King, had ſent to my ſupplications."

A WOMAN of Hertfordſhire, illuminated by prophetical viſions, deſired admittance into the council of war, and communicated to them a revelation, which aſſured them, that their meaſures were conſecrated from above, and ratified by a heavenly ſanction. This intelligence gave them great comfort, and much confirmed them in their preſent reſolutions *.

COLONEL Harriſon, the ſon of a butcher, and the moſt furious enthuſiaſt of the army, was ſent with a ſtrong party to conduct the King to London. At

* Whitlocke, p. 360.

Chap. X. 1649.

Windſor, Hamilton, who was there detained a priſoner, was admitted into the King's preſence; and falling on his knees, paſſionately exclaimed, *My dear maſter! I have indeed been ſo to you*, replied Charles, embracing him. No farther intercourſe was allowed between them. The King was inſtantly hurried away. Hamilton long followed him with his eyes, all ſuffuſed in tears, and prognoſticated, that, in this ſhort ſalutation, he had given the laſt adieu to his ſovereign and his friend.

CHARLES himſelf was aſſured, that the period of his life was now approaching; but notwithſtanding all the preparations, which were making, and the intelligence, which he received, he could not, even yet, believe, that his enemies really meant to conclude their violences by a public trial and execution. A private aſſaſſination he every moment looked for; and tho' Harriſon aſſured him, that his apprehenſions were entirely groundleſs, it was by that cataſtrophe, ſo frequent with dethroned princes, that he expected to terminate his life. In appearance, as well as reality, the King was now dethroned. All the exterior ſymbols of ſovereignty were withdrawn, and his attendants had orders to ſerve him without ceremony. At firſt, he was ſhocked with inſtances of rudeneſs and familiarity, to which he had been ſo little accuſtomed. *Nothing ſo contemptible as a deſpiſed prince!* was the reflection, which they ſuggeſted to him. But he ſoon reconciled his mind to this, as he had done to his other calamities.

ALL the circumſtances of the trial were now adjuſted; and the high court of juſtice fully conſtituted. It conſiſted of 133 perſons, as named by the commons; but there never met above 70: So difficult was it found, notwithſtanding the blindneſs of prejudice, and the allurements of intereſt, to engage men of any name or character in that criminal meaſure. Cromwel, Ireton, Harriſon, and the chief officers of the army, moſt of them of very mean birth, were members, together with ſome of the lower houſe and ſome citizens of London. The twelve judges were at firſt appointed in the number: But as they had affirmed, that it was contrary to all the ideas of Engliſh law to try the King for treaſon, by whoſe authority all accuſations for treaſon muſt neceſſarily be conducted; their names, as well as thoſe of ſome peers, were afterwards ſtruck out. Bradſhaw, a lawyer, was choſen preſident. Coke was appointed ſolicitor for the people of England. Doriſlaus, Steele, and Aſke, were named aſſiſtants. The court ſat in Weſtminſter-hall.

IT is obſervable, that, in calling over the court, when the crier pronounced the name of Fairfax, which had been inſerted in the number, a voice came from one of the ſpectators, and cried, *He has more wit than to be here.* When the charge was read againſt the King, *In the name of the people of England*; the ſame voice exclaimed, *Not a tenth part of them.* Axtel the officer, who guarded the court, giving orders to fire into the box, whence theſe inſolent ſpeeches came; it was diſcovered, that Lady Fairfax was there, and that it was ſhe who had had the

courage to utter them. She was a perſon of very noble extraction, the daughter of Horace Lord Vere of Tilbury; but being ſeduced by the violence of the times, ſhe had long ſeconded her huſband's zeal againſt the royal cauſe, and was now, as well as he, ſtruck with abhorrence at the fatal and unexpected conſequence of all his boaſted victories. Chap. X. 1649.

THE pomp, the dignity, the ceremony of this tranſaction correſponded to the greateſt conception, that is ſuggeſted in the annals of human kind; the delegates of a great people ſitting in judgment upon their ſupreme magiſtrate and trying him for his miſgovernment and breach of truſt. The ſolicitor, in name of the commons, repreſented, that Charles Stuart, being admitted king of England, and *entruſted* with a limited power; yet nevertheleſs, out of a wicked deſign to erect an unlimited and tyrannical government, had traiterouſly and maliciouſly levied war againſt the preſent parliament, and the people, whom they repreſented, and was therefore impeached as a tyrant, traitor, murderer, and a public and implacable enemy to the commonwealth. After the charge was finiſhed, the preſident directed his diſcourſe to the King, and told him, that the court expected his anſwer. The King's trial.

THE King, tho' long detained a priſoner, and now produced as a criminal, ſuſtained, by his magnanimous courage, the majeſty of a monarch. With great temper and dignity, he declined the authority of the court, and refuſed to ſubmit himſelf to their juriſdiction. He repreſented, That, having been engaged in treaty with his two houſes of parliament, and having finiſhed almoſt every article, he had expected to be brought to his capital in another manner, and ere this time, to have been reſtored to his power, dignity, revenue, as well as to his perſonal liberty: That he could not now perceive any appearance of the upper houſe, ſo eſſential a member of the conſtitution; and had learned, that even the commons, whoſe authority was pretended, were ſubdued by lawleſs force, and were bereaved of their liberty: That he himſelf was their NATIVE HEREDITARY KING; nor was the whole authority of the ſtate, tho' free and united, intitled to try him, who derived his dignity from the Supreme Majeſty of Heaven: That, admitting thoſe extravagant principles, which levelled all orders of men, the court could plead no power, delegated by the people; unleſs the conſent of every individual, down to the meaneſt and moſt ignorant peaſant, had been previouſly aſked and obtained: That he acknowledged, without ſcruple, that he had a *truſt*, committed to him, and one moſt ſacred and inviolable; he was entruſted with the liberties of his people, and would not now betray them, by recognizing a power, founded on the moſt atrocious violence and uſurpation: That having taken arms, and frequently expoſed his life, in defence of public liberty, of the conſtitution, of the fundamental laws of the kingdom, he was willing, in this laſt and moſt ſolemn ſcene, to ſeal with his blood thoſe precious rights, for which, tho' in vain, he had ſo long contended: That thoſe, who ar-

Chap. X. 1649. arrogated a title to ſit as his judges, were born his ſubjects, and born ſubjects to thoſe laws, which determined, *That the king can do no wrong:* That he was not reduced to the neceſſity of ſheltering himſelf under that general maxim, which guards every Engliſh monarch, even the leaſt deſerving; but was able, by the moſt ſatisfactory reaſons, to juſtify thoſe meaſures, in which he had been engaged: That, to the whole world, and even to them, his pretended judges, he was deſirous, if called upon in another manner, to prove the integrity of his conduct, and aſſert the juſtice of thoſe defenſive arms, to which, unwillingly and unfortunately, he had had recourſe: But that, in order to preſerve an uniformity of conduct, he muſt, at preſent, forego the apology of his innocence; leſt, by ratifying an authority, no better founded than that of robbers and pirates, he be juſtly branded as the betrayer, inſtead of being applauded as the martyr, of the conſtitution.

THE preſident, in order to ſupport the majeſty of the people, and maintain the ſuperiority of his court above the priſoner, ſtill inculcated, That he muſt not decline the authority of his judges; that they over-ruled his objections; that they were delegated by the people, the only ſource of every lawful power; and that kings themſelves acted but in truſt from that community, which had inveſted this high court of juſtice with its juriſdiction. Even according to thoſe principles, which, in his preſent ſituation, he was perhaps obliged to adopt, his behaviour, in general, will appear not a little harſh and barbarous; but when we conſider him as a ſubject, and one too of no high character, addreſſing himſelf to his unfortunate ſovereign, his ſtyle will be eſteemed, to the laſt degree, audacious and inſolent.

THREE times was Charles produced before the court, and as often declined their juriſdiction. On the fourth, the judges having examined ſome witneſſes, by whom it was proved, that the King had appeared in arms againſt the forces,
27th of Jan. commiſſioned by the parliament, they pronounced ſentence againſt him. He ſeemed very anxious, at this time, to be admitted to a conference with the two houſes; and it was ſuppoſed, that he intended to reſign the crown to his ſon: But the court refuſed compliance, and conſidered that requeſt as nothing but a delay of juſtice.

IT is confeſſed, that the King's behaviour, during this laſt period of his life, does great honour to his memory; and that, in all appearances before his judges, he never forgot his part, either as a prince or as a man. Firm and intrepid, he maintained, in each reply, the utmoſt perſpicuity and juſtneſs both of thought and expreſſion: Mild and equable, he roſe into no paſſion at that unuſual authority, which was aſſumed over him. His ſoul, without effort or affectation, ſeemed only to remain in the ſituation familiar to it, and to look down with contempt on all the efforts of human malice and iniquity. The ſoldiers, inſtigated by their ſuperiors, were brought, tho' with difficulty, to cry aloud for juſtice:

Poor

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Poor ſouls! ſaid the King to one of his attendants; *for a little money they would do as much againſt their commanders* *. Some of them were permitted to go the utmoſt length of brutal inſolence, and to ſpit in his face, as he was conveyed along the paſſage to the court. To excite a ſentiment of piety, was the only effect which this inhuman inſult was able to operate upon him.

THE people, tho' under the rod of lawleſs, unlimited power, could not forbear, with the moſt ardent prayers, to pour forth their wiſhes for his preſervation; and, in his preſent diſtreſs, they avowed *him*, by their generous tears, for their monarch, whom, in their miſguided fury, they had before ſo violently rejected. The King was ſoftened at this moving ſcene, and expreſſed his gratitude for their dutiful affection. One ſoldier too, ſeized by contagious ſympathy, demanded from heaven a bleſſing on oppreſſed and fallen majeſty: His officer, overhearing his prayer, beat him to the ground in the King's preſence. *The puniſhment, methinks, exceeds the offence:* This was the reflection, which Charles formed on that occaſion †.

As ſoon as the intention of trying the King was known in foreign nations, ſo enormous an action was exclaimed againſt by the general voice of reaſon and humanity; and all men, under whatever form of government they were born, rejected this example, as the utmoſt effort of undiſguiſed uſurpation, and the moſt heinous inſult on law and juſtice. The French ambaſſador, by orders from his court, interpoſed on the King's behalf: The Dutch employed their good offices: The Scots exclaimed and proteſted againſt this violence: The Queen, the Prince, wrote pathetic letters to the parliament. All ſolicitations were found fruitleſs with men whoſe reſolutions were fixed and irrevocable.

FOUR of Charles's friends, perſons of the greateſt virtue and dignity, Richmond, Hertford, Southampton, Lindeſey, applied to the commons. They repreſented, That they were the King's counſellors, and had concurred, by their advice, with all thoſe meaſures which were now imputed as crimes to their royal maſter: That, in the eye of the law, and according to the dictates of common reaſon, they alone were guilty, and were alone expoſed to cenſure for every blameable action of the prince: And that they now preſented themſelves, in order to ſave, by their own puniſhment, that precious life, which it became the commons themſelves, and every ſubject, with the utmoſt hazard, to protect and defend ‡. Such a generous effort contributed to their honour; but operated nothing towards the King's ſafety.

THE people remained in that ſilence and aſtoniſhment, which all great paſſions, when they have not an opportunity of exerting themſelves, naturally produce in the human mind. The ſoldiers, being inceſſantly plied with prayers, ſermons,

* Ruſhw. vol. viii. p. 1425. † Warwick, p. 339. ‡ Perinchef, p. 85. Lloyde, p. 319. and

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and exhortations, were wrought up to a degree of fury, and imagined, that, in the acts of the moſt extreme diſloyalty towards their prince, conſiſted their higheſt merit in the eyes of Heaven *.

THREE days were allowed the King between his ſentence and his execution. This interval he paſſed with great tranquillity chiefly in reading and devotion. All his family, that remained in England, were allowed acceſs to him. It conſiſted only of the Princeſs Elizabeth and the Duke of Gloceſter; for the Duke of York had made his eſcape. Gloceſter was little more than an infant: The Princeſs, notwithſtanding her tender years, ſhewed a very advanced judgment; and the calamities of her family had made a deep impreſſion upon her. After many pious conſolations and advices, the King gave her in charge to tell the Queen, That, during the whole courſe of his life, he had never once, even in thought, failed in his fidelity towards her; and that his conjugal tenderneſs and his life ſhould have an equal duration.

To the young Duke too, he could not forbear giving ſome advice, in order to ſeaſon his mind with early principles of loyalty and obedience towards his brother, who was ſo ſoon to be his ſovereign. Holding him on his knee, he ſaid, "Now "they will cut off thy father's head." At theſe words the child looked very ſtedfaſtly upon him. "Mark! child, what I ſay: They will cut off my "head! and perhaps make thee a king: But mark what I ſay: Thou muſt not "be a king, as long as thy brothers, Charles and James, are alive. They will "cut off thy brothers' heads, when they can catch them! And thy head too "they will cut off at laſt! And therefore I charge thee do not be made a king by "them!" The Duke, ſighing, replied, "I will be torn in pieces firſt!" So determined an anſwer, from one of ſuch tender years, filled the King's eyes with tears of joy and admiration.

EVERY night, during this interval, the King ſlept ſound as uſual; tho' the noiſe of workmen, employed in framing the ſcaffold, and other preparations for his execution, continually reſounded in his ears †. The morning of the fatal day,

30th of Jan.

he roſe early; and calling Herbert, one of his attendants, he bade him employ more than uſual care in dreſſing him, and preparing him for ſo great and joyful a ſolemnity. Biſhop Juxon, a man endued with the ſame mild and ſteady virtues, by which the King himſelf was ſo much diſtinguiſhed, aſſiſted him in his devotions, and paid the laſt melancholy duties to his friend and ſovereign.

And Execution.

THE ſtreet before Whitehall was the place deſtined for the execution: For it was intended, by chooſing that very place, in ſight of his own palace, to diſplay more evidently the triumph of popular juſtice over royal majeſty. When the King came upon the ſcaffold, he found it ſo ſurrounded with ſoldiers, that he could not expect to be heard by any of the people: He addreſſed, therefore, his

* Burnet's Hiſtory of his own Times. † Clement Walker's hiſtory of Independency.

diſcourſe

discourse to the few persons who were about him; particularly Colonel Tomlinson, to whose care he had lately been committed, and upon whom, as upon many others, his amiable deportment had operated an intire conversion. He justified his own innocence in the late fatal wars, and observed, that he had not taken arms, till after the parliament had inlisted forces; nor had he any other object in his warlike operations, than to preserve that authority entire, which his ancestors had transmitted to him. He threw not, however, the blame upon the parliament; but was more inclined to think, that ill instruments had interposed, and excited in them fears and jealousies with regard to his intentions. Tho' innocent towards his people, he acknowledged the equity of his execution in the eyes of his Maker; and observed, that an unjust sentence, which he had suffered to take effect, was now punished by an unjust sentence upon himself. He forgave all his enemies, even the chief instruments of his death; but exhorted them and the whole nation to return to the way of peace, by paying obedience to their lawful sovereign, his son and successor. When he was preparing himself for the block, Bishop Juxon called to him: "There is, Sir, but one stage more, which, "tho' turbulent and troublesome, is yet a very short one. Consider, it will "soon carry you a great way; it will carry you from earth to heaven; and there "you shall find, to your great joy, the prize, to which you hasten, a crown of "glory." "I go," replied the King, "from a corruptible to an incorruptible "crown; where no disturbance can have place." At one blow was his head severed from his body. A man in a vizor performed the office of executioner: Another, in a like disguise, held up, to the spectators, the head, streaming with blood, and cried aloud, *This is the head of a traitor!*

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It is impossible to describe the grief, indignation, and astonishment, which took place, not only among the spectators, who were overwhelmed with a flood of sorrow, but throughout the whole nation, so soon as the report of this fatal execution was conveyed to them. Never monarch, in the full triumph of success and victory, was more dear to his people than his misfortunes and magnanimity, his patience and piety, had rendered this unhappy Prince. In proportion to their former delusions, which had animated them against him, was the violence of their return to duty and affection; while each reproached himself, either with active disloyalty towards him, or with too indolent defence of his oppressed cause. On weaker minds, the effects of these complicated passions were prodigious. Women are said to have cast forth the untimely fruit of their womb: Others fell into convulsions, or sunk into such a melancholy as attended them to their grave: Nay, some, unmindful of themselves, as tho' they could not, or would not survive their beloved prince, it is reported, suddenly fell down dead. The very pulpits were bedewed with unsuborned tears; those pulpits, which had formerly thundered out the most violent imprecations and anathemas against him. And all

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men united in their deteſtation of thoſe hypocritical parricides, who, by ſanctified pretences, had ſo long diſguiſed their treaſons, and in this laſt act of iniquity, had thrown an indelible ſtain upon the nation.

A FRESH inſtance of hypocriſy was diſplayed the very day of the King's death. The generous Fairfax, not contented with being abſent from the trial, had uſed all the intereſt, which he yet retained, to prevent the execution of the fatal ſentence; and had even employed perſuaſion with his own regiment, tho' none elſe ſhould follow him, to reſcue the King from his diſloyal murderers. Cromwel and Ireton informed of this intention, endeavoured to convince him, that the Lord had rejected the King; and they exhorted him to ſeek by prayer ſome direction from heaven on this important occaſion: But they concealed from him, that they had already ſigned the warrant for the execution. Harriſon was the perſon appointed to join in prayer with the unwary general. By agreement, he prolonged his doleful cant, till intelligence arrived, that the fatal blow was ſtruck. He then roſe from his knees, and inſiſted with Fairfax, that this event was a miraculous and providential anſwer, which Heaven had ſent to their devout ſupplications *.

IT being remarked, that the King, the moment before he ſtretched out his neck to the executioner, had ſaid to Juxon, with a very earneſt accent, the ſingle word REMEMBER; great myſteries were ſuppoſed to be concealed under that expreſſion, and the generals vehemently inſiſted with the prelate, that he ſhould inform them of the King's meaning. Juxon told them, that the King, having frequently charged him to inculcate on his ſon the forgiveneſs of his murderers, had taken this opportunity, in the laſt moment of his life, when his commands, he ſuppoſed, would be regarded as ſacred and inviolable, to re-iterate that deſire: and that his mild ſpirit thus terminated its preſent courſe, by an act of benevolence towards his greateſt enemies.

THE character of this Prince, as that of moſt men, if not of all men, was mixed; but his virtues predominated extremely above his vices, or, more properly ſpeaking, his imperfections: For ſcarce any of his faults roſe to that pitch as to merit the appellation of vices. To conſider him in the moſt favourable light, it may be affirmed, that his dignity was exempted from pride, his humanity from weakneſs, his bravery from raſhneſs, his temperance from auſterity, his frugality from avarice: All theſe virtues, in him, maintained their proper bounds, and merited unreſerved praiſe. To ſpeak the moſt harſhly of him, we may affirm, that many of his good qualities were attended with ſome latent frailty, which, tho' ſeemingly inconſiderable, was able, when ſeconded by the extreme malevolence of his fortune, to diſappoint them of all their influence: His beneficent diſpoſition was clouded by a manner not very gracious; his virtue was tinctured with ſuperſtition; his good ſenſe was disfigured by a deference to

* Herbert, p. 135.

perſons

perſons of a capacity much inferior to his own; and his moderate temper exempted him not from haſty and precipitant reſolutions. He deſerves the epithet of a good, rather than of a great man; and was more fitted to rule in a regular eſtabliſhed government, than either to give way to the encroachments of a popular aſſembly, or finally to ſubdue their pretenſions. He wanted ſuppleneſs and dexterity ſufficient for the firſt meaſure: He was not endowed with the vigour requiſite for the ſecond. Had he been born an abſolute prince, his humanity and good ſenſe had rendered his reign happy and his memory precious: Had the limitations on prerogative been, in his time, quite fixed and certain, his integrity had made him regard, as ſacred, the boundaries of the conſtitution. Unhappily, his fate threw him into a period, when the precedents of many former reigns favoured ſtrongly of arbitrary power, and the genius of the people ran violently towards liberty. And if his political prudence was not ſufficient to extricate him from ſo perilous a ſituation, he may be excuſed; ſince, even after the event, when it is commonly eaſy to correct all errors, one is at a loſs to determine what conduct, in his circumſtances, could have maintained the authority of the crown, and preſerved the peace of the nation. Expoſed, without revenue, without arms, to the aſſault of furious, implacable and bigoted factions, it was never permitted him, but with the moſt fatal conſequences, to commit the ſmalleſt miſtake; a condition too rigorous to be impoſed on the greateſt human capacity.

Some hiſtorians have raſhly queſtioned the good faith of this Prince: But, for this reproach, the moſt malignant ſcrutiny of his conduct, which, in every circumſtance, is now thoroughly known, affords not any reaſonable foundation. On the contrary, if we conſider the extreme difficulties, to which he was ſo frequently reduced, and compare the ſincerity of his profeſſions and declarations; we ſhall avow, that probity and honour ought juſtly to be numbered among his moſt ſhining qualities. In every treaty, thoſe conceſſions, which, he thought, in conſcience, he could not maintain, he never could, by any motive or perſuaſion, be induced to make. And tho' ſome violations of the petition of right may be imputed to him; theſe are more to be aſcribed to the neceſſity of his ſituation, and to the lofty ideas of royal prerogative, which he had imbibed, than to any failure in the integrity of his principles *.

* The imputation of inſincerity on Charles I. like many party-clamours, is very difficult to be remov'd; tho' it may not here be improper to ſay ſomewhat with regard to it. I ſhall firſt remark, that this imputation ſeems to be of a later growth than his own age; and that even his enemies, tho' they loaded him with many calumnies, did not inſiſt on this accuſation. Ludlow, I think, is almoſt the only Parliamentarian, who imputes that vice to him; and how paſſionate a writer he is, muſt be obvious to every one. Neither Clarendon nor any other of the royaliſts ever juſtify him from inſincerity; as not ſuppoſing that he had ever been accuſed of it. In the ſecond place, his deportment and character in common life was free from that vice: He was reſerved, diſtant, ſtately; cold in his addreſs, plain in his diſcourſe, inflexible in his principles; wide of the careſſing, inſinuating manners of his ſon; or the profeſſing, talkative humour of his father. The imputation of inſincerity muſt be grounded on ſome of his public actions, which we are therefore in the third place to examine. The following

Chap. X. 1649. THIS Prince was of a comely preſence; of a ſweet, but melancholy aſpect. His face was regular, handſome, and well complexioned; his body ſtrong, healthy,

following are the only inſtances, which I find cited to confirm that accuſation. (1.) His vouching Buckingham's narrative of the tranſactions in Spain. But it is evident that Charles himſelf was deceived: why otherwiſe did he quarrel with Spain? The following is a paſſage of a letter from lord Kenſington, ambaſſador in France, to the duke of Buckingham, Cabbala, p. 318. "But his highneſs (the Prince) had obſerved as great a weakneſs and folly as that, in that after they (the Spaniards) had uſed him ſo ill, they would ſuffer him to depart, which was one of the firſt ſpeeches he uttered after he came into the ſhip: But did he ſay ſo? ſaid the Queen (of France.) Yes, madam, I will aſſure you, quoth I, from the witneſs of mine own ears. She ſmiled and replied, Indeed I heard he was uſed ill. So he was, anſwered I, but not in his entertainment; for that was as ſplendid as that country could afford it; but in their frivolous delays and in the unreaſonable conditions which they propounded and preſſed, upon the advantage they had of his princely perſon." (2.) Biſhop Burnet, in his Hiſtory of the Houſe of Hamilton, p. 154. has preſerved a letter of the King's to the Scots biſhops, in which he deſires them not to be preſent at the Parliament, where they would be forced to ratify the abolition of their own order: "For," adds the King," we do hereby aſſure you, that it ſhall be ſtill one of our chiefeſt ſtudies how to rectify and eſtabliſh the government of that church aright, and to repair your loſſes, which we deſired you to be moſt confident of." And in another place, "You may reſt ſecure, that tho' perhaps we may give way for the preſent to that which will be prejudicial both to the church and our own government; yet we ſhall not leave thinking in time how to remedy both." But does the King ſay, that he will arbitrarily revoke his conceſſions? Does not candor require us rather to ſuppoſe, that he hoped his authority would ſo far recover as to enable him to obtain the national conſent to re-eſtabliſh epiſcopacy, which he believed ſo material a part of religion as well as of government? It is not eaſy indeed to think how he could expect to effectuate this purpoſe in any other way than his father had taken, that is, by conſent of parliament. (3.) There is a paſſage in lord Clarendon; where it is ſaid, that the King aſſented the more eaſily to the bill, which excluded the biſhops from the houſe of Peers; becauſe he thought, that that law, being enacted by force, could not be valid. But the King certainly reaſoned right in that concluſion. Three fourths of the Houſe of Peers were at that time baniſhed by the violence of the populace: Twelve biſhops were unjuſtly thrown into the Tower by the Commons: Great numbers of the commons themſelves were kept away by fear or violence: The King himſelf was forced to leave London. If all this be not force, there is no ſuch thing. But this ſcruple of the King's affects only the biſhops' bill and that againſt preſſing. The other conſtitutional laws had paſſed without the leaſt appearance of violence, as did indeed all the bills paſſed during the firſt year, except Strafford's attainder, which could not be recalled. The Parliament, therefore, even if they had known the King's ſentiments in this particular, could have no juſt foundation of jealouſy. (4.) The King's letter intercepted at Naſeby, has been the ſource of much clamour. We have ſpoke of it already, chap. ix. Perhaps, it had been better had the King avoided that refinement; yet nothing is more uſual in all public tranſactions. After the death of Charles II. of Spain, King William's ambaſſadors gave the Duke of Anjou the title of King of Spain: Yet at that very time, King William was ſecretly forming alliances to dethrone him: and ſoon after he refuſed him that title, and inſiſted (as he had reaſon) that he had not acknowledged his right. Yet King William juſtly paſſes for a very ſincere Prince; and this tranſaction is not regarded as any objection to his character. In all the negotiations at the peace of Ryſwic, the French ambaſſadors always addreſſed King William as King of England; yet it was made an expreſs article of the treaty, that the French King ſhould acknowledge him as ſuch. Such a palpable difference is there between giving a title to a Prince, and poſitively recognizing his right to it. I may add, that Charles, when he inſerted his proteſtation in the council-books before his council, ſurely thought he had reaſon to juſtify his conduct. There were too many men of honour in that company to avow a palpable cheat: To which we may ſubjoin,

that,

thy, and juſtly proportioned; and being of a middle ſtature, he was capable of enduring the greateſt fatigues. He excelled in horſemanſhip and other exerciſes; and he poſſeſſed all the exterior, as well as many of the eſſential qualities, which form an accompliſhed prince. Chap. X. 1649.

THE tragical death of Charles begot a queſtion, whether the people, in any caſe, were intitled to judge and to puniſh their ſovereign; and moſt men, regarding chiefly the atrocious uſurpation of the pretended judges, and the merit of the virtuous prince who ſuffered, were inclined ſtrongly to condemn the republican principles, as highly ſeditious and extravagant: But there ſtill were a few, who, abſtracting from the particular circumſtances of this caſe, were able to conſider the queſtion in general, and were inclined to moderate, not contradict, the prevailing ſentiment. Such might have been their reaſoning. If ever, on any occaſion, it were laudable to conceal truth from the populace; it muſt be confeſſed, that the doctrine of reſiſtance affords ſuch an example; and that all ſpeculative reaſoners ought to obſerve, with regard to this principle, the ſame cautious ſilence, which the laws, in every ſpecies of government, have ever preſcribed to themſelves. Government is inſtituted, in order to reſtrain the fury and injuſtice of the people; and being always founded on opinion, not on force, it is dangerous, to weaken, by theſe ſpeculations, the reverence, which the multitude owe to authority, and to inſtruct them beforehand, that the caſe can ever happen, when they may be freed from their duty of allegiance. Or, ſhould it be found impoſſible to reſtrain the licence of human diſquiſitions, it muſt be acknowledged, that the doctrine of obedience ought alone to be *inculcated*, and that the exceptions, which are very rare, ought ſeldom or never to be mentioned in popular reaſonings and diſcourſes. Nor is there any danger, that mankind, by this prudent reſerve, ſhould univerſally degenerate into a ſtate of abject ſervitude. When the exception really occurs, even tho' it be not previouſly expected and deſcanted on, it muſt, from its very nature, be ſo obvious and undiſputed, as to remove all

that, if men were as much diſpoſed to judge of this Prince's actions with candor as ſeverity, this precaution of entering a proteſt in his council-books might rather paſs for a proof of ſcrupulous honour; leſt he ſhould afterwards be reproached with breach of his word, when he ſhould think proper again to declare the aſſembly at Weſtminſter no Parliament. (5.) The denying his commiſſion to Glamorgan is another inſtance which has been cited. This matter has been already treated chap. ix. That tranſaction was entirely innocent. Even if the King had given a commiſſion to Glamorgan to conclude that treaty, and had ratified it, will any reaſonable man, in our age, think it ſtrange that, in order to ſave his own life, his crown, his family, his friends, and his party, he ſhould make a treaty with papiſts, and grant them very large conceſſions for their religion? (6.) There is another of the King's intercepted letters to the Queen commonly mentioned; where, it is pretended, he talked of raiſing and then deſtroying Cromwel: But that ſtory ſtands on no manner of foundation, as we have obſerved in chap. x. In a word, the parliament, after the commencement of their violences, and ſtill more, after beginning the civil war, had reaſon for their ſcruples and jealouſies, founded on the very nature of their ſituation, and on the general propenſity of the human mind; not on any fault of the King's character; who was candid, ſincere, upright; as much almoſt as any man, whom we meet with in hiſtory.

doubt,

Chap. X. 1649.

doubt, and overpower the reſtraint, however great, impoſed by teaching the general doctrine of obedience. But between reſiſting a prince, and dethroning him, there is a very wide interval; and the abuſes of power, which can warrant the latter violence, are much greater and more enormous, than thoſe which will juſtify the former. Hiſtory, however, ſupplies us with examples even of this kind; and the reality of the ſuppoſition, tho', for the future, it ought ever to be little looked for, muſt, by all candid inquirers, be acknowledged in the paſt. But between dethroning a prince and puniſhing him, there is another very wide interval; and it were not ſtrange, if even men of the moſt enlarged thought ſhould queſtion, whether human nature could ever, in any monarch, reach that height of depravity, as to warrant, in revolted ſubjects, this laſt act of extraordinary juriſdiction. That illuſion, if it be an illuſion, which teaches us to pay a ſacred regard to the perſons of princes, is ſo ſalutary, that to diſſipate it by the formal trial and puniſhment of a ſovereign, will have more pernicious effects upon the people, than the example of juſtice can be ſuppoſed to have a beneficial influence upon princes, by checking their career of tyranny. 'Tis dangerous alſo, by theſe examples, to reduce princes to deſpair, or bring matters to ſuch extremities againſt perſons endowed with great power, as to leave them no reſource, but in the moſt violent and moſt ſanguinary councils. This general poſition being eſtabliſhed, it muſt, however, be obſerved, that no reader, almoſt of any party or principle, was ever ſhocked, when he read, in antient hiſtory, that the Roman ſenate voted Nero, their abſolute ſovereign, to be a public enemy, and, even without trial, condemned him to the ſevereſt and moſt ignominious puniſhment; ſuch a puniſhment, as the meaneſt Roman citizen was, by the laws, exempted from. The crimes of that bloody tyrant are ſo enormous, that they break thro' all rules; and extort a confeſſion, that ſuch a dethroned prince is no longer ſuperior to his people, and can no longer plead, in his own defence, laws, which were eſtabliſhed for conducting the ordinary courſe of adminiſtration. But when we paſs from the caſe of Nero to that of Charles, the great diſproportion, or rather total contrariety of characters, immediately ſtrikes us; and we ſtand aſtoniſhed, that, among a civilized people, ſo much virtue could ever meet with ſo fatal a cataſtrophe. Hiſtory, the great miſtreſs of wiſdom, furniſhes examples of all kinds; and every prudential, as well as moral precept, may be authorized by thoſe events, which her enlarged mirror is able to preſent to us. From the memorable revolutions, which paſſed in England during this period, we may naturally deduce the ſame uſeful leſſon, which Charles himſelf, in his latter years, inferred; that it is very dangerous for princes to aſſume more authority, than the laws have allowed them. But, it muſt be confeſſed, that theſe events furniſh us with another inſtruction, no leſs natural and no leſs uſeful, concerning the madneſs of the people, the furies of fanaticiſm, and the danger of mercenary armies.

6th of Feb.

In order to cloſe this part of Britiſh hiſtory, it is alſo neceſſary to relate the diſſolution of the monarchy in England: That event ſoon followed upon the

death of the monarch. When the peers met on the day, appointed in their adjournment, they entered upon buſineſs, and ſent down ſome votes to the commons, of which the latter deigned not to take the leaſt notice. In a few days, the lower houſe paſſed a vote, that they ſhould make no more addreſſes to the houſe of peers, nor receive any more from them; and that that houſe was uſeleſs and dangerous, and was therefore to be aboliſhed. A like vote paſſed with regard to the monarchy; and 'tis remarkable, that Martin, a zealous republican, in the debate on this queſtion, confeſſed, that, if they deſired a king, the laſt was as proper as any gentleman in England *. The commons formed a new great ſeal, on which that aſſembly was repreſented with this legend, ON THE FIRST YEAR OF FREEDOM, BY GOD'S BLESSING, RESTORED, 1648. The forms of all public buſineſs were changed, from the King's name, to that of the keepers of the liberties of England. And it was declared high treaſon to proclaim or any otherwiſe acknowledge Charles Stuart, commonly called Prince of Wales. Chap. XI. 1649.

THE commons intended to bind the Princeſs Elizabeth apprentice to a button-maker: The Duke of Gloceſter was to be taught ſome other mechanical employment. But the former ſoon died; of grief, as is ſuppoſed, for her father's tragical end: The latter was, by Cromwel, ſent beyond ſea.

THE King's ſtatue, in the Exchange, was thrown down; and on the pedeſtal theſe words were inſcribed: EXIT TYRANNUS, REGUM ULTIMUS; *The tyrant is gone, the laſt of the Kings.*

DUKE HAMILTON was tried by a new high court of juſtice, as Earl of Cambridge in England; and condemned for high treaſon. This ſentence, which was certainly very hard, but which ought to ſave his memory from all imputations of treachery to his maſter, was executed on a ſcaffold, erected before Weſtminſter-hall. Lord Capel underwent the ſame fate. Both theſe Noblemen had eſcaped from priſon, but were afterwards diſcovered and taken. To all the ſolicitations of their friends for pardon, the generals and parliamentary leaders ſtill replied, that it was certainly the intention of Providence they ſhould ſuffer; ſince it had permitted them to fall into their enemies hands, after they had once recovered their liberty.

THE Earl of Holland loſt his life by a like ſentence. Tho' of a polite and courtly behaviour, he died lamented by no party. His ingratitude to the King, and his frequent changing ſides, were regarded as great ſtains on his memory. The Earl of Norwich and Sir John Owen, being condemned by the ſame court, were pardoned by the commons.

THE King left ſix children; three males, Charles born in 1630, James Duke of York, born in 1633, Henry Duke of Gloceſter, born in 1641; and three females, Mary Princeſs of Orange, born 1631, Elizabeth, born 1635, and Henrietta, afterwards Ducheſs of Orleans, born at Exeter 1644.

THE Archbiſhops of Canterbury in this reign were Abbot and Laud: The Lord keepers, Williams, Biſhop of Lincoln, Lord Coventry, Lord Finch, Lord Littleton,

* Walker's hiſtory of Independency, part 2.

Chap. X. 1649. Littleton, Sir Richard Lane; the Lord admirals, the Duke of Buckingham and the Earl of Northumberland; the Lord high treaſurers, the Earl of Marlborough, the Earl of Portland, Juxon biſhop of London, Lord Cottington; the ſecretaries of ſtate, Lord Conway, Sir Albertus Moreton, Coke, Sir Harry Vane, Lord Falkland, Lord Digby, Sir Edward Nicholas.

It may be expected that we ſhould here make mention of the *Icon Baſiliké*, a work publiſhed in the King's name a few days after his execution. It ſeems almoſt impoſſible, in the controverted parts of hiſtory, to ſay any thing which will ſatisfy the zealots of both parties: But with regard to the genuineneſs of that production, it is not eaſy for an hiſtorian to fix any opinion, which will be intirely to his own ſatisfaction. The proofs brought to evince that this work is or is not the King's, are ſo convincing, that, if an impartial reader peruſes any one ſide apart *, he will think it impoſſible, that arguments could be produced, ſufficient to counterbalance ſo ſtrong an evidence: And when he compares both ſides, he will be ſome time at a loſs to fix any determination. Should an abſolute ſuſpence of judgment be found difficult or diſagreeable in ſo intereſting a queſtion, I muſt confeſs, that I much incline to give the preference to the arguments of the royaliſts. The teſtimonies, which prove that performance to be the King's, are more numerous, certain, and direct, than thoſe on the other ſide. This is the caſe, even if we conſider the external evidence: But when we weigh the internal, derived from the ſtyle and compoſition, there is no manner of compariſon. Theſe meditations reſemble in elegance, purity, neatneſs, and ſimplicity, the genius of thoſe performances, which we know with certainty to have flowed from the royal pen: But are ſo unlike the bombaſt, perplexed, rhetorical, and corrupt ſtyle of Dr. Gauden, to whom they are aſcribed, that no human teſtimony ſeems ſufficient to convince us, that he was the author. Yet all the evidences, which would rob the King of that honour, tend to prove, that Dr. Gauden had the merit of writing ſo fine a performance, and the infamy of impoſing it on the world for the King's.

It is not eaſy to conceive the general compaſſion excited towards the King, by the publiſhing, at ſo critical a juncture, a work ſo full of piety, meekneſs, and humanity. Many have not ſcrupled to aſcribe to that book the ſubſequent reſtoration of the royal family. Milton compares its effects, to thoſe which were wrought on the tumultuous Romans by Anthony's reading to them the will of Cæſar. The *Icon* paſſed thro' fifty editions in a twelvemonth; and independent of the great intereſt taken in it by the nation, as the ſuppoſed production of their murdered ſovereign, it muſt be acknowledged the beſt proſe compoſition, which, at the time of its publication, was to be found in the Engliſh language.

* See on the one hand Toland's Amyntor, and on the other Wagſtaffe's Vindication of the royal martyr, 3d edition, with Young's addition. We may remark, that Lord Clarendon's total ſilence with regard to this ſubject, in ſo full a hiſtory, compoſed in vindication of the King's meaſures and character, forms a ſtrong preſumption on Toland's ſide, and a preſumption of which that author was ignorant; the works of the noble hiſtorian not being then publiſhed. Biſhop Burnet's teſtimony too muſt be allowed of weight againſt the *Icon*.

The End of the Fifth Volume.

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